



HOUSE OF COMMONS.

Wednesday, 10th April, 1935.

[OFFICIAL REPORT.]

The House met at a Quarter before Three of the Clock, Mr. SPEAKER in the Chair.

PRIVATE BUSINESS.

South Shields Corporation Bill,

As amended, considered; to be read the Third time.

ORAL ANSWERS TO QUESTIONS.

JAPAN.

1. Mr. MANDER asked the Secretary of State for Foreign Affairs whether he has any statement to make with reference to the position of Japan concerning her rights and obligations now that she has left the League; and whether, so far as these are unfulfilled, they still continue?

The LORD PRESIDENT of the COUNCIL (Mr. Baldwin): The question of Japan's rights and obligations in connection with the League of Nations is one for consideration by the League. Her rights and obligations in other respects are, naturally, not affected by her withdrawal.

Mr. MANDER: Has the Lord President seen the statement on this subject by M. Avenol, the Secretary-General, which appeared in the Press recently?

Mr. BALDWIN: No, I am afraid I have not.

DISARMAMENT CONFERENCE.

3. Captain WATERHOUSE asked the Secretary of State for Foreign Affairs what salaries and allowances are being paid by the League of Nations to officials and members of the Disarmament Conference; and which of such officials or members are being paid additional salaries and allowances out of moneys voted by this House?

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Mr. BALDWIN: No salary is paid by the League of Nations to the Chairman of the Disarmament Conference, but he receives travelling expenses and subsistence allowance in respect of his visits to Geneva. He of course receives his salary as a Member of this House. The secretarial work of the Conference is performed by members of the permanent staff of the League as part of their normal duties. None of these receives any additional salary or allowances out of moneys voted by the House.

62. Mr. MANDER asked the Secretary of State for Dominion Affairs whether any of the Dominions have at any time been consulted with regard to the French proposal made at the Disarmament Conference in March, 1933, for an international aerial police force for the purpose of preventing the misuse of civil aircraft; and, if so, what view they took?

The SECRETARY of STATE for DOMINION AFFAIRS (Mr. J. H. Thomas): Throughout the course of the Disarmament Conference there has been constant consultation with the representatives of the Dominions on all aspects of the problems involved. So far as I am aware, no Dominion Government has made any official pronouncement on the particular proposal referred to by the hon. Member. There have, however, been public statements from time to time by Dominion representatives indicating dissent from the conception of the League of Nations as an organisation with armed forces of its own.

Mr. MANDER: Do I understand from that that it would not be true to say that these specific proposals have in fact been rejected by the Dominions?

Mr. THOMAS: No; but it would be true to refer, for instance, to the speech which General Smuts made in which he said:

"If the attempt were made now to transform it into a military machine, into a system to carry on war for the purpose of preventing or ending war, I think its fate is sealed. I cannot conceive the Dominions remaining in such a League, and pledging themselves to fight the wars of the Old World. If the Dominions leave it, Great Britain is bound to follow."

That is the pronouncement of one of the Dominion representatives—

HON. MEMBERS: No!

Mr. THOMAS: One Dominion representative—

HON. MEMBERS: No!

Mr. MANDER: With reference to the specific point, and that only, to which I referred in my question, I understand it is quite clear that they have not been rejected by any of the Dominions?

Mr. THOMAS: I think that is true; but it is equally true that the House should know that there has been no step taken by this Government without the Dominions being consulted, and on no occasion has there been any dissent from our policy from any Dominion.

Mr. COCKS: Would the Secretary of State say whether the speech of General Smuts was made in his private capacity or as representative of the Union of South Africa?

Mr. THOMAS: It is very difficult. If I were making a speech and it suited my hon. Friend to attach it to the Government, I am quite sure that he would do so. General Smuts cannot in any of these public utterances be treated as other than a very responsible statesman of South Africa.

Mr. MAXTON: Will the right hon. Gentleman himself try to remember that principle when he speaks?

Mr. THOMAS: It was the kind of thing I was trying to do at Seaham Harbour last night, and it went down well.

MANCHURIA (OIL INTERESTS).

4. **Captain PETER MACDONALD** asked the Secretary of State for Foreign Affairs whether he is now in a position to make any further statement with regard to the progress of the negotiations with the Japanese Government arising out of the British protest against the proposed Manchurian oil monopoly policy?

Mr. BALDWIN: No, Sir. I cannot yet add anything to the answer given to my hon. and gallant Friend on this subject on the 1st April.

DANZIG (ELECTIONS).

Brigadier-General SPEARS asked the Secretary of State for Foreign Affairs

whether he has any statement to make on the conditions under which the elections for the Danzig Diet were held; and whether, as the suppression of opposition newspapers and propaganda by the Nazis are incompatible with the democratic constitution of the city, he will bring the matter before the Council of the League of Nations?

Mr. BALDWIN: No, Sir. It is for the League High Commissioner at Danzig in the first instance to draw, if necessary, the attention of the Council of the League to the conditions under which the recent elections for the Danzig Diet were held.

Brigadier-General SPEARS: Will the High Commissioner have the opportunity of doing so at the next council meeting?

Mr. BALDWIN: As the hon. and gallant Member knows, I am not extraordinarily familiar with the procedure, but I should imagine so. It is his duty to make any report he thinks fit.

ROYAL NAVY: RETIRED OFFICERS (TRAINING).

7. **Mr. RANKIN** asked the First Lord of the Admiralty how many officers on the emergency list of the Royal Navy are over the age of 70; and how many officers whose names have been placed on the list since the War have had any naval training since being placed on the list?

The FIRST LORD of the ADMIRALTY (Sir Bolton Eyres Monsell): The number of officers on the emergency list who are over the age of 70 is seven. No officer placed on the list since the War has subsequently received training.

8. **Mr. RANKIN** asked the First Lord of the Admiralty what is the present total of all officers on the retired, reserve and emergency lists of the Royal Navy; and whether he will consider the desirability of giving the opportunity of occasional naval training to the officers on the emergency and retired lists who could be called up for service in time of emergency?

Sir B. EYRES MONSELL: The retired officers of the Royal Navy and Royal Marines number about 9,750, the emergency officers 173, and the number of officers of the Royal Naval Reserve and

the Royal Naval Volunteer Reserve is approximately 3,900. Arrangements are already in being for giving training to such officers on the emergency list as may be actually selected to fill appointments to be taken up in time of war or emergency, and requiring special instruction; and these arrangements are considered to be sufficient.

Commander MARSDEN: Are there any arrangements for retired officers who might be called up to receive some further naval training or to take courses?

Sir B. EYRES MONSELL: No, Sir, there is only instruction for officers on the Reserve. It is considered that there are always enough officers who have just retired and who would be capable of performing the duties they would be called on to perform.

TRADE AND COMMERCE.

TANGANYIKA AND PALESTINE (JAPANESE IMPORTS).

10. **Mr. RANKIN** asked the Secretary of State for the Colonies whether his attention has been called to the fact that Japanese imports into the mandated territories of Tanganyika and Palestine increased substantially in 1934 as against 1933, whereas the exports of these mandated territories to Japan were negligible; and whether steps will be taken to enable these territories to deal with such inequitable trade balances?

The SECRETARY of STATE for the COLONIES (Sir Philip Cunliffe-Lister): The answer to the first part of the question is in the affirmative. The whole position, which involves many questions, both legal and general, is under consideration.

PALESTINE.

11. **Captain STRICKLAND** asked the Secretary of State for the Colonies whether he will consider the desirability of negotiating trade agreements between Palestine and the several countries which export large quantities of goods to Palestine without purchasing from Palestine more than a negligible quantity of Palestinian produce?

Sir P. CUNLIFFE-LISTER: Yes, Sir. The requirements of Palestine have received and continue to receive careful

consideration. But I think it may be found in practice that the most satisfactory results are likely to be obtained in the course of negotiations for commercial treaties undertaken by the United Kingdom.

ZANZIBAR (CLOVES).

12. **Sir ROBERT HAMILTON** asked the Secretary of State for the Colonies whether he can state the quantity of cloves that has come in as deposit from producers to the Clove Growers Association in Zanzibar since its reconstitution on its present basis; the quantity that has been purchased by the association since its reconstitution; and the quantity deposited with the association which has been sold to the association itself or to others, giving the average price in each case?

Sir P. CUNLIFFE-LISTER: I have not got this detailed information, and I am sure my hon. Friend will appreciate that it would be unfair to require a trading agency to disclose particulars of current trading. But the Resident intends to publish an annual report upon the work of the association.

ARGENTINA.

66. **Mr. DAVID GRENFELL** asked the President of the Board of Trade whether, in view of the special position of Argentina with regard to the Empire, he will say what steps he is taking to safeguard the interests of British trade and investment in that country?

The PARLIAMENTARY SECRETARY to the BOARD of TRADE (Dr. Burgin): I can assure the hon. Member that the question of safeguarding United Kingdom interests in this matter receives my right hon. Friend's constant attention.

Mr. GRENFELL: Has the hon. Gentleman seen the report of a speech by the late Minister to Argentina in which he complains that sufficient attention has not been given to this matter?

Dr. BURGIN: No, Sir, I have not seen it.

Sir JOHN HASLAM: Will the hon. Gentleman also draw the attention of his right hon. Friend to the fact that British firms registered in this country are

[Sir J. Haslam.]

receiving none, or a very small proportion, of the quota of goods allowed to be exported from Argentina to this country? They are not receiving a fair proportion.

TRADE MARKS.

67. **Sir CHRISTOPHER CLAYTON** asked the President of the Board of Trade whether he hopes to be able to introduce either this Session or early next Session a Bill to amend the law relating to trade marks, based on the recommendations unanimously made by the departmental committee on the law and practice relating to trade marks as of importance and urgency to commercial and industrial interests?

Dr. BURGIN: The preparatory work for the necessary legislation is in hand, but I cannot say when it will be possible to introduce it.

Sir C. CLAYTON: Would it be possible to have the Bill introduced in another place?

Dr. BURGIN: That certainly is a matter which will be considered.

INDO-BURMA (PROPOSED TRADE AGREEMENT).

68. **Mr. HAMMERSLEY** asked the Secretary of State for India whether he can make a statement on the proposed Indo-Burma trade agreement?

The **SECRETARY of STATE for INDIA** (Sir Samuel Hoare): I propose to deal with this question in connection with the consideration in Committee of Part XIV of the Government of India Bill.

Mr. HAMMERSLEY: Can my right hon. Friend say whether, in dealing with it, he will deal with it as a preliminary to the first Clause in Part XIV of the Government of India Bill, or at what stage in Part XIV of the Bill he will deal with it?

Sir S. HOARE: I think that that must rest with the Chairman. So far as I am concerned, I will deal with it on the first available opportunity.

Mr. RADFORD: May I ask my right hon. Friend, in view of the fact that Burma now constitutes part of India, who is going to make an agreement between India and Burma on behalf of Burma?

Sir S. HOARE: That is just the type of question with which I am going to deal in the Debate.

PROTECTORATES AND MANDATED TERRITORIES (JAPANESE IMPORTS).

15. **Mr. D. GRENFELL** asked the Secretary for the Colonies in what Colonies or protectorates or mandated territories duties have been imposed with a view to limiting the import of Japanese goods; whether such duties have been imposed on Japanese goods as such or on certain classes of articles which are imported from Japan, and, if so, whether he will give a list of such articles?

Sir P. CUNLIFFE-LISTER: As regards the operation of the quota provisions with regard to textiles, I would refer the hon. Member to the reply which I gave to the hon. Member for Royton (Mr. Sutcliffe) on the 4th of March. Special duties leviable on Japanese goods have been imposed on certain kinds of apparel, galvanised iron sheets, paint, varnish and similar articles and cement in the Gold Coast and Nigeria and on the same articles with one or two additional items in the Gambia.

Mr. PALING: In view of the answer to a previous question, are we to understand that these prohibitions or tariffs have had no effect?

Sir P. CUNLIFFE-LISTER: No, on the contrary, if the hon. Gentleman will look at the effect of the tariffs and at the published records of the quotas which I have put in the OFFICIAL REPORT, he will see that it has meant an increase in British exports in some cases of 300 and 400 per cent.

BROADCASTING (COLONIES AND MANDATED TERRITORIES).

13. **Captain P. MACDONALD** asked the Secretary of State for the Colonies which principal colonies or mandated territories possess at present broadcasting stations of their own or are considering plans for the erection of such stations; and what steps he is taking to assist such development?

Sir P. CUNLIFFE-LISTER: There are local broadcasting or rediffusion services in Ceylon, Hong Kong, Kenya, Malaya, Mauritius, Fiji, Sierra Leone, Gold

Coast, Gibraltar, Barbados and the Falkland Islands; one it at present being set up in Palestine, and proposals for the setting up of stations are under consideration in the case of Nigeria, Malta, Jamaica, Trinidad, the Windward Islands. No assistance is necessary to secure the development of these important services other than the provision of the most up-to-date and expert advice which is always made available and of which I am glad to say full advantage is taken locally.

GIBRALTAR, PALESTINE AND ADEN (EDUCATION).

14. **Colonel WEDGWOOD** asked the Secretary of State for the Colonies whether he will consider the practicability of extending to Gibraltar, Palestine, and Aden the far-reaching educational reforms at present being carried through in Cyprus and Malta; and whether he will ask the governors and others to report to him on this question?

Sir P. CUNLIFFE-LISTER: As regards Gibraltar I would refer the right hon. Member to the reply which I gave him on the 8th of April. In Palestine the teaching of English is a regular feature of the curriculum in Government urban schools. Education in the Settlement of Aden is under the control of the Government of India.

Colonel WEDGWOOD: Is it not possible to extend the teaching of English to other than Government-supported schools, seeing the amount of education that is being provided particularly in Palestine?

Sir P. CUNLIFFE-LISTER: If the right hon. and gallant Gentleman means the Jewish schools, they are, in a sense, private schools. I am not sure that it would be practicable, and indeed I do not think it would be, to have extensive teaching of English yet in the elementary rural schools, but in the urban areas, where fuller advantage can be taken of it, the teaching of English is a regular thing.

Colonel WEDGWOOD: Is the right hon. Gentleman aware that the Arabs are particularly anxious to learn English, and that in the case of Government national schools the money now comes out of taxation and not out of private funds?

Sir P. CUNLIFFE-LISTER: I think the right hon. and gallant Gentleman knows that I have done my best to increase the teaching of English all over the Empire, and I certainly shall continue to do so wherever possible.

Colonel WEDGWOOD: I am only anxious, as the right hon. Gentleman knows, to extend his good works.

AVIATION: AEROPLANE ENGINES (OUTPUT).

16. **Mr. CHORLTON** asked the Under-Secretary of State for Air whether the capacity for aero-engine output has been increased by associating other firms with existing contractors?

Major GEORGE DAVIES (Lord of the Treasury): I have been asked to reply. The capacity of existing engine contractors is supplemented as necessary by assistance from approved sub-contractors. This is considered sufficient to give the output required under present conditions.

Mr. CHORLTON: May I ask whether there is any definite list, whether there has been any advance over what has been done in the past; because what has been mentioned is the old arrangement?

Major DAVIES: I will communicate that question to my right hon. Friend.

Mr. LOUIS SMITH: Will the Minister bear in mind the desirability of spreading these contracts as much as possible all over the country?

Major DAVIES: I will convey that request to my right hon. Friend.

TRANSPORT.

ROAD ACCIDENTS.

18. **Sir GIFFORD FOX** asked the Minister of Transport the percentage per thousand of the total population of the country killed in road accidents during each of the past two years up to December, 1934?

The MINISTER of TRANSPORT (Mr. Hore-Belisha): The number of persons killed in road accidents in Great Britain per hundred thousand of the total population was 15.9 in 1933 and 16.2 in 1934.

49. **Sir HENRY JACKSON** asked the Minister of Transport what is the percentage increase or reduction in the numbers of those killed and injured on the roads in the first three months of this year as compared with the first three months of last year; and what is the percentage increase or decrease in the number of mechanically-propelled vehicles in the same period?

Mr. HORE-BELISHA: The number of persons killed and injured on the roads in Great Britain during the first three months of this year is estimated to have been 6 per cent. less than the number in the corresponding period of 1934, while there were approximately 12 per cent. more mechanically-propelled road vehicles licensed. The express this percentage reduction in actual numbers, there has been a reduction of over 30 per cent. in the number of those killed and injured, or a total of 2,845 in the period, while the number of motor vehicles licensed has increased by 224,237, that is at the rate of 600 per day on every day for the last 12 months.

Mr. THORNE: Will the hon. Gentleman keep a similar record of the number of people killed by commercial vehicles and by private motor cars?

Mr. HORE-BELISHA: I think that those particulars will be disclosed in the analysis I am having made for the current year.

Mr. HANNON: May I ask my hon. Friend whether, having regard to the information he has given to the House, the new 30-mile limit is not working very satisfactorily?

22. **Mr. BANFIELD (for Mr. WEST)** asked the Minister of Transport how many inquiries into cases of accidents have been initiated under Section 23, Sub-section (1), of the Road Traffic Act, 1930?

Mr. HORE-BELISHA: The circumstances of a large number of accidents are investigated as a matter of course by my Divisional Road Engineers or by the certifying officers of the Ministry. Public inquiries are, however, rarely held, and it has only been found necessary to adopt the procedure provided for in the Road Traffic Act in six instances.

39. **Mr. WHITESIDE (for Mr. HUTCHISON)** asked the Minister of

Transport whether in future he will arrange for statistics provided by his Department to distinguish between accidents in built-up areas and accidents outside such areas?

Mr. HORE-BELISHA: I have arranged that separate particulars will be given in the analysis of fatal road accidents in 1935 which I propose to issue in due course. In the meantime it may be of interest to the House to know that for the fortnight ended 30th March, 1935, representing the first two weeks of the speed limit, there was a reduction of 16 per cent. in the numbers of persons killed and injured in county police districts and a reduction of 21.5 per cent. in city and town police districts, compared with the corresponding period in 1934.

Lieut.-Colonel MOORE-BRABAZON: Will my hon. Friend pay particular attention to the discrimination in the statistics between private cars and cars that were previously subject to speed regulations under the last Act?

Mr. HORE-BELISHA: I am trying to make the statistics as full as possible. I hope they will contain that information.

PEDESTRIAN CROSSING PLACES.

20. **Mr. TINKER** asked the Minister of Transport whether, in view of the uncertainty of pedestrians when crossing at the beacon places, he will consider sending some of the officials of his Department to watch at some of the principal crossings and to make a report to him of what they think is necessary to give more confidence both to drivers of vehicles and pedestrians?

Mr. HORE-BELISHA: I have already adopted the hon. Member's suggestion.

Mr. HOLFORD KNIGHT: Is the hon. Gentleman aware of the habit of motorists of waving on pedestrians without slackening speed, and will he draw the attention of motorists to the fact that they should slow down on approaching a pedestrian crossing on which there are pedestrians?

Mr. TINKER: Will the hon. Gentleman send his officials to the bottom of Kingsway, where he will find three crossings and will get evidence of what I am trying to convey? Pedestrians do not know what to do, and the drivers keep them out by following close together.

Mr. HORE-BELISHA: I hope that mutual courtesy and consideration will in the end solve this problem.

Mr. JOHN WILMOT: Is the Minister aware that much of the confusion arises from the lack of visibility of the beacons to drivers?

34. Mr. GUY asked the Minister of Transport to what extent the local authorities have responded to his invitation to prepare and submit schemes for pedestrian crossings to him for his approval?

Mr. HORE-BELISHA: Outside the London traffic area, schemes have been submitted to me by 299 local authorities in England and Wales, and 23 in Scotland.

SHILOH ROAD, MELLOR.

21. Mr. CHORLTON asked the Minister of Transport whether he is aware of the state of repair of Shiloh Road, in the parish of Mellor, Derbyshire; and whether he will take steps to see that this road is taken over by the county council and a grant given towards its reconstruction?

Mr. HORE-BELISHA: If the county council decides to adopt the road, I shall certainly be prepared to consider an application for a grant from the Road Fund towards its improvement.

Mr. CHORLTON: Can my hon. Friend do anything to induce the county council to make up the road quicker than they are doing?

BUILT-UP AREAS (SPEED LIMIT).

23. Mr. GLOSSOP asked the Minister of Transport when the West Riding County Council propose to commence the erection of the 30-miles-per-hour de-restriction signs; and on what date it is anticipated that this work will have been completed?

Mr. HORE-BELISHA: I have asked the county council to treat the provision of these signs as a matter of immediate urgency.

Mr. GLOSSOP: May I have a reply to the second part of my Question, which was as to the date by which it is anticipated that this work will have been completed?

Mr. HORE-BELISHA: In the last communication I had from the West Riding

County Council they indicated that they were getting on with the work as quickly as possible.

Mr. LEVY: Is the Minister aware that in the West Riding of Yorkshire a number of local authorities have put up 30-miles-per-hour signs at the limits of their boundaries, that that was not the intention of Parliament, and that it was the intention of Parliament that built-up areas should be restricted, and will he use his over-riding authority to get some of those restricted roads de-restricted?

Mr. HORE-BELISHA: I have demonstrated to the House my desire to assist motorists in that way as much as possible.

Captain P. MACDONALD: Will the Minister see also that local authorities do not erect de-restriction signs behind hedges, but make them as visible as the restriction signs?

37. Mr. RADFORD asked the Minister of Transport whether he has received from the local authority concerned an application that the main road from Cheadle to Handforth and from Handforth to Wilmslow shall be exempted from the 30-mile-per-hour speed limit?

Mr. HORE-BELISHA: No, Sir.

Mr. RADFORD: Does the Minister not agree that the surest way to make the regulations a success and to prevent their being brought into ridicule is by excluding a type of road that was never intended to be subject to the 30-mile-per-hour limit but which still remains restricted?

Mr. HORE-BELISHA: My hon. Friend asked me whether I had received an application from the local authority. I say that I have not received it.

Mr. RADFORD: In any case in which his inspectors inform him that a certain road merits decontrol, does the Minister communicate with the local authority concerned to see whether that can be done?

Mr. HORE-BELISHA: I have a vast volume of correspondence with local authorities.

Mr. RADFORD: Will he be willing to make such a communication in this particular case?

• Mr. HORE-BELISHA: Yes, Sir, the facts justify it.

38. **Mr. RADFORD** asked the Minister of Transport to what extent he has received from the local authorities concerned applications for exemption from the 30-mile-per-hour speed limit in respect of stretches of wide open roads in Lancashire and Cheshire?

Mr. HORE-BELISHA: The only lengths of road in Lancashire and Cheshire in respect of which I have received applications from local authorities for de-restriction are lengths of road in Bacup and Darwen, and I have given my consent to the necessary Orders.

Mr. RADFORD: Is it a fact that local authorities in the South of England have been more enterprising and forward in putting in their applications than those in the North?

HON. MEMBERS: No.

41. **Captain STRICKLAND** asked the Minister of Transport whether, in view of the great development in the use of speed restriction and de-restriction signs on the roads since the findings of the Departmental Committee on Traffic Signs were published or the motor organisations were consulted in connection therewith, he will take steps to ascertain the views of these organisations on the usefulness of having distinctive painted lines placed on the roads to indicate the approach to or departure from restricted speed areas?

Mr. HORE-BELISHA: I will readily consider any representations on this subject which the organisations referred to by my hon. and gallant Friend may wish to make to me.

55. **Brigadier-General SPEARS** asked the Minister of Transport whether he is aware that the main road east of Staines, level with the Staines reservoir as far as the arterial road, is subject to the 30-mile-per-hour speed limit; and whether he will take steps to have this road de-restricted?

Mr. HORE-BELISHA: I am in consultation with the police and the local authorities concerned.

19. **Lieut.-Colonel MOORE-BRABAZON** (for **Mr. MALLALIEU**) asked the Minister of Transport whether he will consider taking steps to relax the 30-mile-per-hour speed limit between the hours of 11 p.m. and 6 a.m.?

Mr. HORE-BELISHA: I have no power to relax the 30 miles per hour speed limit during particular hours.

Lieut.-Colonel MOORE-BRABAZON: May I ask my hon. Friend whether he is aware that the former Minister was in favour of this, and is there now disagreement in the Government in regard to it?

Mr. HORE-BELISHA: No, Sir. The power was not contained in the Act.

BRIDGE, SELBY.

31. **Colonel ROPNER** asked the Minister of Transport what steps have been taken during the last month, or will be taken in the near future, to meet the long-felt want of a toll-free bridge at Selby?

Mr. HORE-BELISHA: The County Councils of the East and West Ridings of Yorkshire are awaiting the report of the consulting engineers on proposals to construct a new road and toll-free bridge at Selby.

TOLL BRIDGES.

32. **Colonel ROPNER** asked the Minister of Transport whether it is his intention to refuse grants to local authorities to free existing toll bridges; and whether grants are only to be made to assist schemes for the construction of bridges on new arterial roads?

Mr. HORE-BELISHA: No, Sir. My policy is to free perpetual tolls, and I am prepared to make grants of 75 per cent. for this purpose. In appropriate cases, however, it naturally falls to be decided whether the public interest would best be served by freeing from tolls a bridge which is inadequate for traffic needs of the neighbourhood, or whether to construct a new and adequate bridge.

MOTOR DRIVERS (TEST).

33. **Mr. DENVILLE** asked the Minister of Transport whether, in view of the widespread desire that motorists who fail under the test should be given in writing or orally the reason for such failure, he will issue instructions to this effect forthwith?

Mr. HORE-BELISHA: Apart from the specific test, an examiner is required to judge generally whether or not a candidate is competent to drive without danger and with due consideration for other users of the road. As in certain circumstances a candidate may appeal to a

court of summary jurisdiction, it is most desirable to avoid giving any instructions to examiners which might involve them in controversy. In accordance, however, with the spirit in which I desire these tests to be conducted, I am informing examiners that they should indicate to unsuccessful candidates on request the points to which they would be well advised to devote special attention before taking the test again and I am also directing examiners to inform a candidate forthwith if he has failed in the eyesight test.

PEDAL CYCLISTS.

35. **Mr. HANNON** asked the Minister of Transport the number of pedal bicycles now in use upon the roads of Great Britain and Northern Ireland, and the number of cases in which such cyclists have been prosecuted for violation of the law relating to the use of the highway?

Mr. HORE-BELISHA: There are no statistics of the number of pedal cycles in use in Great Britain and Northern Ireland. I am informed that in 1933, the latest year for which particulars are available, 47,550 pedal cyclists were prosecuted for highway offences in Great Britain.

36. **Mr. HANNON** asked the Minister of Transport whether he has considered the representations of the National Cyclists' Union, and other bodies concerned with the welfare of bicycle riders upon the highways of the country, expressing opposition to the introduction of cycle tracks; and what action he proposes to take upon the case thus submitted to him?

Mr. HORE-BELISHA: I must inform the House that the increase in the number of fatal and other accidents to cyclists appears, from such information as is before me, to be out of all proportion to those of other road users, casualties among whom actually tend to decrease. The number of pedestrians killed and injured on the roads in 1934, as compared with 1933, increased by less than 1 per cent., but in the case of cyclists by 44.2 per cent. In these circumstances, I am still not without hope that cyclists will accept the principle of segregating traffic as far as possible according to the speed at which it can travel as being as much for their safety and convenience as has been the setting aside of footpaths for the sole use of pedestrians.

Mr. HANNON: While thanking my hon. Friend for his very full answer, may I ask him whether, notwithstanding what he has said in that reply, representations made by organised bodies of cyclists will receive his sympathetic consideration?

Captain WATERHOUSE: Is it not a fact that local authorities in Denmark have provided separate cycling tracks, and that these are very popular among cyclists?

Lieut.-Colonel CHARLES MacANDREW Has the Minister any idea how many of the accidents could have been avoided if the cyclists had been carrying rear lights?

Lieut.-Commander AGNEW: Could not the Minister extend the principle of separate highways to motorists?

Mr. HORE-BELISHA: I am naturally most willing to receive any representations, and I hope that the cyclists will assist the campaign for their own and the public safety.

NON-TRAFFIC SIGNS.

42. **Captain STRICKLAND** asked the Minister of Transport whether, in view of the great increase in the use of red-light advertisements since the report of the Departmental Committee on Traffic Signs, and the neglect of highway authorities to exercise their powers under Section 48 (4) of the Act of 1930, he will exercise his own powers under Sub-section (5) to procure the removal of such signs or their raising to such a level of height as would prevent their being mistaken for danger or warning signals?

Mr. HORE-BELISHA: The provisions to which my hon. and gallant Friend refers enable highway authorities and myself to remove only such signs as are unauthorised traffic signs, or which so closely resemble traffic signs that they might reasonably be taken to be such signs. I repeat the assurance which I recently gave my hon. and gallant Friend, that if he knows of any cases where any advertising signs might reasonably be taken to be traffic signs within the meaning of the Section, I will immediately take the matter up.

Captain STRICKLAND: Does not the Minister think that it would be of great advantage if all red signs were removed from the roads except such as indicate danger or obstruction to traffic?

Mr. HORE-BELISHA: It is not a question of what I think; it is a question of the law, and I will exercise my power to the full.

Captain STRICKLAND: Is my hon. Friend aware that many highway authorities may regard with indifference the question of the removal of such signs while others may remove them, and that the principle is one of national traffic and not of merely parochial traffic going through a particular area?

Mr. HORE-BELISHA: If my hon. and gallant Friend has any reason to doubt whether a particular local authority is taking proper action, I shall be most willing to investigate the case.

Captain STRICKLAND: Does not my hon. Friend think that it is his own duty to look after these things?

Mr. HORE-BELISHA: I cannot do so in regard to such lights on every road in the country.

GRASS VERGES (EQUESTRIANS).

43. Mr. HALL-CAINE asked the Minister of Transport whether he is aware that riders have been forbidden to use the grass margins along the Great West Road in the county of Middlesex and along considerable stretches of road in the vicinity of Manchester and Leeds; and that powers have recently been obtained by the corporations of Wigan, Doncaster, Sunderland, Birmingham, Weston-super-Mare, and others to enable them equally to ban riders from grass margins in their areas of a purely ornamental nature; and whether money from the Road Fund has been used to assist the ornamentation of the margins and their consequent withdrawal from use by riders in any of these places?

Mr. HORE-BELISHA: I am aware that certain authorities have obtained powers to enable them to exclude riders from such areas which are considered unsuited for that purpose; but it is not my practice to make grants towards the execution of works which will prevent the reasonable use of the highways by equestrians.

ROADS (LAND PURCHASE).

44. Lieut.-Colonel Sir ARNOLD WILSON asked the Minister of Transport to what extent he has exercised the power

vested in him to purchase land within 220 yards of the centre of a road to the cost of making which a contribution has been made from national funds; and in whom is vested land so purchased?

Mr. HORE-BELISHA: In addition to some small parcels of land acquired to avoid claims for severance in connection with a number of road schemes, my predecessors purchased approximately 112 acres surplus to the land required for the construction of the North Orbital Road. The land, so far as it still remains unsold, is vested in the Minister.

LONDON UNDERGROUND RAILWAYS (BREAKDOWNS).

47. Mr. KIRKWOOD asked the Minister of Transport whether, in view of the inconvenience caused to passengers by breakdowns on the tube and underground railways of London, he will request the London Passenger Transport Board to take steps to inform the public when there is a breakdown, so that other means of transport can be used, and also to inform the public by their railway officials that fares will be returned where a passenger leaves the train to reach his destination by other means?

Mr. HORE-BELISHA: I will bring the hon. Member's suggestions to the attention of the London Passenger Transport Board

MANCHESTER.

48. Mr. CHORLTON asked the Minister of Transport whether he is able to give any information of the present position of the proposal to set up a joint road transport body for the industrial area around Manchester; and whether he will do anything to help forward this object?

Mr. HORE-BELISHA: I have not received any official information regarding this proposal.

Mr. CHORLTON: Is it possible for the Minister to do anything to help forward this object? Can he take any action in the matter at all?

Mr. HORE-BELISHA: I will consider it on its merits if it be put to me.

GOODS VEHICLES (DRIVERS' WORKING HOURS).

50. Mr. HOLDSWORTH asked the Minister of Transport whether, seeing

that he made an order in November, 1934, varying the provisions of Section 19 of the Road Traffic Act, 1930, in relation to the hours of drivers of certain goods vehicles used under A and B licences, but subsequently decided not to make a similar order in relation to the hours of the drivers of goods vehicles used under C licences, he will now say what the grounds are for the distinction between the hours of drivers of vehicles used under A and B licences on the one hand and under C licences on the other hand?

Mr. HORE-BELISHA: I do not feel justified in extending further the scope of the Order referred to to include a very large number of persons engaged in a variety of trades and industries and in a diversity of occupation which is not necessarily confined to driving; to do so would in my view be departing very far from the principle of Section 19 of the Act of 1930.

PUBLIC SERVICE VEHICLES (MECHANICAL SIGNALS).

51. **Sir PERCY HARRIS** asked the Minister of Transport whether he will now consider requiring all public service vehicles to have mechanical direction signals worked by the driver to indicate when they are turning right or left?

Mr. HORE-BELISHA: The Departmental Committee on Traffic Signs, which considered the question of direction indicators on motor vehicles, did not recommend that their use should be made compulsory on any type of vehicle.

Sir P. HARRIS: Has the Minister considered, in the light of the experience of his Department, whether it would not be advisable to make these signals compulsory in the case of omnibuses and tram-cars?

Mr. HORE-BELISHA: Yes, Sir, I have considered it, but nothing new has arisen since the investigation was recently concluded.

Mr. WHITESIDE: Has not this been pointed out to the Minister for the last 18 months on several occasions; and when does he propose to take any action?

Mr. HORE-BELISHA: When I think action can be effectively taken.

53. **Sir P. HARRIS** asked the Minister of Transport whether he will endeavour to secure for the safety of the public, as

a warning to other users of the roads, that all public service vehicles, including tramcars, have a stop light worked automatically by the brake, as are now generally fitted on private cars?

Mr. HORE-BELISHA: The use of stop lights is not compulsory on any type of motor vehicle, and as at present advised I am not satisfied that there is any special necessity for fitting them to public service vehicles, which every driver knows to be liable to stop at any time for the purpose of picking up or setting down passengers. I am advised that there are technical difficulties in fitting stop lights to some types of tramcar.

FOOTPATHS.

52. **Sir P. HARRIS** asked the Minister of Transport how far local authorities are required by his Department to make provision for footpaths for pedestrians on the side of new or improved roads for which he provides financial assistance; and whether he will in future make such provision, as a general rule, a condition of financial assistance?

Mr. HORE-BELISHA: The provision of footways, in all cases where they are practicable and desirable, is now a condition of grants from the Road Fund. Highway authorities have been warned that grants will not be made towards road widening operations by which pedestrians are deprived of footways or verges.

Commander MARSDEN: Will the Minister take steps to ensure that the surface of the footpath is equally as good as the surface of the road?

Mr. HORE-BELISHA: It is my desire that it should be properly kept.

Mr. WILMOT: Is the Minister aware that in a very large number of cases these footpaths are practically impassable, and that it is, in fact, the condition of the footways which is largely responsible for the misgivings of many cyclists as to the proposal to provide separate cycle-ways?

Mr. HORE-BELISHA: I have impressed on local authorities the necessity for preserving the maintenance of these footways.

BOULEVARD BRIDGE, DUNTOCHER.

54 and 56. **Mr. KIRKWOOD** asked the Minister of Transport (1) whether he is aware that complaints have previously

[Mr. Kirkwood.]

been made to his Department about the dangers of the boulevard bridge at Duntocher, near Clydebank, and that a fatal accident occurred there on 30th March; and whether he will require a spiked iron railing to be fitted on to the parapet of the bridge, and also the Eastern approach of the bridge to be safeguarded by erecting a strong iron structure similar to that at the western end of the bridge;

(2) whether, in view of the recent accident where a man fell from the boulevard bridge at Duntocher, near Clydebank, and was killed, and in view of the representations already made, without result, regarding the dangers of this bridge, he will take steps to ensure that the present parapet of the bridge is heightened or fitted with a spiked iron railing, and also that the approach to the East end of the bridge is adequately protected, as the western approach to the bridge has already been?

Mr. HORE-BELISHA: The fatal occurrence referred to was, I understand, caused by a man climbing on to the parapet and falling off. In the report which I have seen it is stated that a note understood to have been written by the victim and left on the parapet may throw some light on the mystery of his fall. In any event the matter is one entirely for the local authority, and I have no power whatever to intervene.

ELECTRICITY UNDERTAKINGS.

24. **Mr. WILMOT** asked the Minister of Transport what were the values, as respects municipal authorised electrical undertakings on 1st January, 1934, of the total outstanding loan capital, average interest rate, and average loan periods; and what was the total capital expended up to that date for these municipal electricity undertakings?

Mr. HORE-BELISHA: With regard to the first part of the question, I would refer the hon. Member to the answer to a similar question asked by the hon. Member for North Hammersmith (Mr. West) on 3rd April. With regard to the last part, the total capital expenditure at the end of 1932-33 by municipal electricity undertakings, including the undertakings of joint boards and joint electricity authorities, amounted to £244,179,000.

25. **Mr. WILMOT** asked the Minister of Transport what were the total sums on 1st January, 1934, set aside by municipal authorities and company authorities for reserve funds, depreciation and maintenance and renewals funds, sinking funds, and sinking funds of local authorities for the purchase of company undertakings, respectively, and the total value of and the annual revenue from investments for the respective authorities?

Mr. HORE-BELISHA: As the answer contains a number of figures, I will, with the hon. Member's permission, circulate it in the OFFICIAL REPORT.

Following is the answer:

The latest compiled returns for 1932-33 show that the particulars desired by the hon. Member were as follows:

(i) In the case of municipal electricity undertakings (including the undertakings of joint boards and joint electricity authorities)—

Depreciation, renewals and reserve funds ...	£10,413,940
Sinking funds (including sinking funds in respect of money borrowed for the purchase of company undertakings) ..	£7,550,823

(ii) In the case of company undertakings—

Depreciation, renewals, reserves and sinking funds	£31,583,845
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(iii) The value of the investments of public authority and company undertakers cannot be definitely stated, but the revenue in 1932-33 from such investments was returned as—

Public authorities ...	£565,995
Companies	£888,798

28. **Mr. T. SMITH** asked the Minister of Transport what is the approximate total connected load in kilowatts connected to non-standard voltage networks of all authorised undertakings not operating at the proposed standard voltage on 1st January, 1934; what percentage of the total connected load this represents; what would be the approximate total cost of converting these networks to the standard voltage; and what is the average rate of growth per annum in total kilowatts connected load of the non-standard connections?

Mr. HORE-BELISHA: The official returns do not admit of an analysis of the kind desired by the hon. Member. At the end of 1932-33, about 75 per cent. of all the undertakings were giving supplies, either wholly or in part, at the proposed standard voltages.

29. Mr. BANFIELD (for Mr. WEST) asked the Minister of Transport whether, in connection with the proposed arrangements for merging or amalgamating a number of electricity undertakings in the London area, he will take steps to ensure that any such arrangements include provisions in the interest of employes who might be found to be redundant?

Mr. HORE-BELISHA: The new company formed to bring about a merger of interests is not an authorised undertaker within the meaning of the Electricity (Supply) Acts, and, therefore, I have no jurisdiction in the sense suggested.

30. Mr. BANFIELD (for Mr. WEST) asked the Minister of Transport what is the total number of non-statutory generating stations, the total installed generating capacity since 1920, the total kilowatt hours generated by them for the year 1933, the total capital cost of those stations up to the year 1933, and the total number of employes engaged in stations of 0 to 3,000 kilowatt capacity, 3,000 to 10,000 kilowatt capacity, and 10,000 and above kilowatt capacity, respectively?

Mr. HORE-BELISHA: I am not aware of any official statistics which cover the whole of the information asked for by the hon. Member, but the latest information available may be found in summarised form in Appendix "R" to the thirteenth annual report of the Electricity Commissioners.

AIR DEFENCE (DOCKYARDS).

45. Mr. WILMOT asked the Prime Minister whether Sheerness dockyard is included within the scope of the inquiry on the vulnerability of dockyards to aerial attack and the advisability of their removal to other sites?

Mr. J. H. THOMAS: Yes, Sir.

Mr. WILMOT: If that be the case, will the right hon. Gentleman bear in mind the difficulties which may arise in such a district owing to the removal of a very important local industry; and will

he take steps to consider what should be done in the interests of the local inhabitants and industries?

Mr. THOMAS: I have already indicated that this aspect of the question will be considered in the course of the inquiry. It is not for me to anticipate the inquiry.

FOREIGN POLICY.

46. Mr. MANDER asked the Prime Minister whether he will consider the advisability, in view of the gravity of the international situation, of inviting the Leaders of the Opposition to confer with the Government to see how far it may be possible to secure united support for a foreign policy based on collective action and arms limitation through the League of Nations open to all nations?

Mr. J. H. THOMAS: The hon. Member's suggestion will be borne in mind.

PUBLIC ASSISTANCE (PENSIONERS).

58. Mr. GORDON MACDONALD asked the Minister of Health the number of persons over 65 years of age on public assistance who are also in receipt of old age pensions under the Old Age Pensions Acts, 1908 to 1925, or pensions under the Widows', Orphans', and Old Age Contributory Pensions Acts?

The PARLIAMENTARY SECRETARY to the MINISTRY of HEALTH (Mr. Shakespeare): The total number of persons over 65 years of age in receipt of poor relief in England and Wales on 1st January, 1935, who were also in receipt of pensions under the enactments mentioned, was 201,729.

Mr. KENNETH LINDSAY: Can my hon. Friend give us any idea of the amount paid to these 200,000 persons?

Mr. SHAKESPEARE: I should require notice of that question.

HOUSING (SEASIDE RESORTS).

59. Mr. HALL-CAINE asked the Minister of Health whether he has ascertained from the principal seaside resorts to what extent crowded conditions are unavoidable during the peak holiday

[Mr. Hall-Caine.]

periods of the year in their towns; whether it will be possible for them to adhere to the standards laid down in the Housing Bill without turning away large numbers of visitors; and, if not, whether he will arrange to obtain such information at an early date?

Mr. SHAKESPEARE: The local authority of any district will, if the Housing Bill becomes law in its present form, have wide powers to deal with exceptional circumstances such as those referred to by my hon. Friend. The local authorities of the areas so affected are represented by the associations with which my right hon. Friend has been in consultation, and he does not anticipate any substantial difficulty of administration in those areas. Accordingly he has not thought it necessary to make special inquiries of the kind suggested.

DRILL HALL, MERTHYR TYDVIL.

61. **Sir G. FOX** asked the Financial Secretary to the War Office what is the approximate number of man-days of work which will be involved in the construction of the drill hall at Merthyr Tydvil; and whether employment will be given to local men in connection with this work?

The FINANCIAL SECRETARY to the WAR OFFICE (Mr. Douglas Hacking): No plans have yet been prepared for the drill-hall, but it is possible to estimate roughly that the work will involve approximately 2,700 man-days. The contract will be put out to tender in the normal way but there is little doubt that a large proportion of local labour will be employed.

TITHE RENTCHARGE (SALE, WESTWELL).

63. **Mr. THORNE** asked the Minister of Agriculture whether he has considered the report sent to him from the president of the Tithe Payers' Association in connection with a meeting held at Ashford, Kent, relative to the tithe sale at Beechbrook Farm, Westwell, Kent; if he is aware that this is the fourth distraint on the farm for a tithe debt of £69, and goods to the value of £500 have already been taken; whether he will take steps to prevent goods being sold in excess of

the amount of tithe demanded; and whether he is now in a position to state when the Royal Commission's Report will be published?

Major DAVIES: I have been asked to reply. While my right hon. Friend has not received the report referred to, he has seen references in the public Press to the sale in question. As the hon. Member was informed on 30th January last the collection and recovery of tithe rentcharge is not a matter which falls within the jurisdiction of the Ministry. The answer to the last part of the question is in the negative.

Mr. THORNE: Will the hon. and gallant Gentleman ask the Minister of Agriculture whether he thinks it will be any use sending along a bunch of ladies' hatpins to the Chairman of the Commission?

ENTERTAINMENTS DUTY.

69. **Mr. HALL-CAINE:** asked the Chancellor of the Exchequer what would be the approximate annual cost of remitting the entertainments duty upon dramatic, variety and musical performances in this country; and by what amount this cost is exceeded by the increase, over the past 10 years, of revenue from mechanised entertainment such as wireless and cinemas?

The FINANCIAL SECRETARY to the TREASURY (Mr. Duff Cooper): I regret that figures are not available which would enable me to draw the comparison desired by my hon. Friend.

UNEMPLOYMENT INSURANCE (LANCASHIRE).

71. **Mr. G. MACDONALD** asked the Minister of Labour the number of persons in insured occupation in Lancashire in December, 1931, and at the latest date on which figures are available, respectively?

The MINISTER of LABOUR (Mr. Oliver Stanley): As the reply includes a table of figures I will, if I may, circulate a statement in the OFFICIAL REPORT.

Following is the statement.

The numbers of persons insured against unemployment are ascertained

only once each year, at the annual exchange of unemployment books at the beginning of July. The estimated numbers of insured persons, aged 16-64, in Lancashire in July, 1931, and July, 1934, and the numbers of such persons recorded as unemployed at 21st December, 1931, and 25th February, 1935, were as shown below:

Estimated numbers insured:

July, 1931	1,867,730
July, 1934	1,807,960

Numbers recorded as unemployed:

21st December, 1931	...	470,535
25th February, 1935	...	383,308

CONTRIBUTORY PENSIONS ACT

70. **Mr. G. MACDONALD** asked the Financial Secretary to the Treasury the estimate of the cost of providing that the wives of all insured men shall be eligible for pension when their husbands attain the age of 65 years?

Mr. COOPER: I would refer the hon. Member to the reply which was given on the 12th February to a similar question by the hon. Member for Wallsend (Miss Ward).

INDUSTRIAL ACCIDENTS.

72. **Sir G. FOX** asked the Minister of Labour what has been the total number of industrial accidents per thousand of the population in Great Britain during each of the last two years other than accidents on the roads; and whether, in view of the large numbers of those so killed, he will consider the desirability of issuing a weekly return of such accidents in the same way as the figures for road accidents are made available by the Ministry of Transport?

Mr. STANLEY: In those employments in which there is statutory obligation to report accidents, the total number of persons whose death were reported as the result of accidents occurring in 1933 and 1934 were 2,180 and 2,589, respectively. These totals are equivalent to rates of approximately 0.05 and 0.06, respectively, per 1,000 of the population of Great Britain. The figures cover persons employed in factories and workshops and on other premises, e.g., docks, wharves, and buildings, which are subject to the Factory and Workshop Acts, at mines

and quarries, on railways, and on trading and fishing vessels registered in this country. As regards the second part of the question, a statistical table is regularly published in the monthly issues of the Ministry of Labour Gazette.

Mr. MABANE: Have not the figures shown that there is a progressive and substantial reduction over the last decade?

Mr. STANLEY: I cannot answer that question off-hand.

HERRING INDUSTRY BOARD.

64. **Sir R. HAMILTON** (*for Mr. HENDERSON STEWART*) asked the Secretary of State for Scotland whether any Order has been made for the variation of the composition of the Herring Industry Board and what steps are being taken under the Order?

The LORD ADVOCATE (**Mr. Jamieson**): I would refer the hon. Member to the Order which was laid before the House on Monday providing for an increase from five to six in the number of members of the Herring Industry Board having special knowledge of the herring industry. This additional place on the Board will be filled by the appointment of a practical fisherman.

Sir R. HAMILTON: Can the Lord Advocate give the name of the practical fisherman it is proposed to appoint?

The LORD ADVOCATE: I am not in the position to do so just now, but the appointment is expected to be made very shortly.

Mr. LOFTUS: What Ministers have to give consent before this appointment of this additional Scottish representative can be made?

The LORD ADVOCATE: The Ministers are the Minister of Agriculture, the Secretary of State for the Home Department and the Secretary of State for Scotland.

ALLOTMENTS, SHEFFIELD.

57. **Mr. L. SMITH** (*for Mr. PIKE*) asked the Minister of Health whether he is aware that the Sheffield and District Allotment Society, representing over 60 separate allotment societies in Sheffield, protest against the continued practice of

[Mr. Smith.]

the local authorities in confiscating allotment lands for housing estates and road-making; that, in spite of the issue last year of notices to the effect that the allotment lease of the Shirecliffe Lane allotments had been extended for a further 14 years, the allottees have now received notice to quit; and, in view of the amount of money and work which they have put into their allotments, will he urge upon the local authority of Sheffield the necessity for preserving and stimulating the allotments movement?

Mr. SHAKESPEARE: My right hon. Friend is aware of this protest, and is informed that the allotment holders have not received notice to quit. The city council have considered it necessary to acquire the land for the purposes of a new street and have made a Compulsory Purchase Order with this object, and the notices served are the statutory notices required in connection with the Order. This Order will not come into force unless confirmed by the Minister of Transport, and an inquiry will be held before decision is given. My right hon. Friend is also informed that, if the land is taken for street purposes, ample time will be afforded for arrangements to transfer allotment holders to other land at a time of least inconvenience to them. My right hon. Friend is assured that there has been a minimum of interference with allotment lands by the city council.

GOVERNMENT OF INDIA BILL (CIVIL SERVICE, BENGAL).

Mr. KIRKPATRICK (*by Private Notice*) asked the Secretary of State for India whether he can now make any further statement regarding the document purporting to represent the views of the Indian Civil Service in Bengal which was discussed on a Motion to Report Progress on Friday last

Sir S. HOARE: Yes, Sir. I have received a further telegraphic report on the subject from the Governor of Bengal. I have already stated that the note dated the 16th December which was published in the Press was not adopted by the Indian Civil Service Association in Bengal nor by any other Service body in India, and that the only authoritative and representative statement of the views

of the Service is the memorial of the 22nd January relating to Service safeguards.

Sir John Anderson's report enables me to add further details to the account given in this House last Friday. The document of the 16th December was circulated by the Committee on the 30th December to members of the Bengal Civil Service Association without any covering letter. On the 5th January postcards were despatched to the recipients of the document saying that, failing a reply by the 12th January, their agreement would be assumed. A few more than six written replies were received and these, in addition to informal oral opinions of various members stationed in Calcutta, led the Committee to the conclusion that there was agreement so far as the question of pressing for Service safeguards was concerned. This led to the drawing up and adoption of the memorial dated the 22nd January.

The points contained in the memorial of the 22nd January were fully examined when I received a deputation representing the Indian Civil Service as a whole and other Indian Services, and later in the discussions on the Service safeguards in the Committee proceedings in this House.

Sir John Anderson entirely confirms what I said in the Committee on Friday last as to the resentment that would be felt by the Service in Bengal about the disclosure of the earlier confidential document and about the attribution to them of the political opinions expressed in it. There are already indications that members of the Service are themselves anxious to take steps that will counteract any false impression that may have been created in this country.

Finally, Sir John Anderson informs me that no one is authorised to express on behalf of the Bengal Association any views on the Bill or to use any arguments which go beyond the memorial of the 22nd January. The representatives of the Association in this country were accredited by the Association only for the purpose of appearing before me in support of the memorial of the 22nd January, and they have been reminded by the Association of the limit of their authority.

Mr. CHURCHILL: Is my right hon. Friend not anxious to get beneath the

formal presentment of the views of a disciplined Service and to have some realisation of the actual feeling and opinion which prevail in that Service?

Brigadier-General Sir HENRY CROFT:

Is it not a fact that the official document in regard to the question of all Service conditions does in fact repeat the contention, though in very different language, of the unofficial note?

Sir S. HOARE: My hon. and gallant Friend can judge for himself. The two documents are before every hon. Member. In answer to my right hon. Friend the Member for Epping (Mr. Churchill), I would say that the only document authorised by the Bengal Branch or by the Indian Civil Service is the memorial that we have already taken into account, and I demur entirely from the suggestion that we ought to take into account confidential documents, obtained I know not how, which have not been adopted in the memorial.

MESSAGE FROM THE LORDS.

That they have agreed to—

Sea Fisheries Provisional Order Bill,
Chester Water Bill,
Great Western Railway Bill, without
Amendment.

Medway Lower Navigation Bill, with
Amendments.

That they have passed a Bill, intituled, "An Act to change the name of the Bury and District Joint Water Board; and for other purposes." [Bury and District Joint Water Board Bill [*Lords*].]

Also a Bill, intituled, "An Act to confer further powers upon the South Suburban Gas Company; and for other purposes." [South Suburban Gas Bill [*Lords*].]

Also a Bill, intituled, "An Act to empower the urban district council of Baidon to construct additional water-works; to make further and better provision for the improvement, health, and local government of the district; and for other purposes." [Baidon Urban District Council Bill [*Lords*].]

Also a Bill, intituled, "An Act to make further provision as to the fares chargeable by the Bristol Tramways and Carriage Company, Limited, in respect of their tramways and light railways; and for other purposes." [Bristol Tramways Bill [*Lords*].]

And also a Bill, intituled, "An Act to confer powers with respect to the preservation of St. Paul's Cathedral; and for other purposes." [City of London (St. Paul's Cathedral Preservation) Bill [*Lords*].]

BURY AND DISTRICT JOINT WATER BOARD
Bill [*Lords*],

SOUTH SUBURBAN GAS BILL [*Lords*],
BAILDON URBAN DISTRICT COUNCIL BILL
[*Lords*],

BRISTOL TRAMWAYS BILL [*Lords*],
CITY OF LONDON (ST. PAUL'S CATHEDRAL
PRESERVATION) BILL [*Lords*],

Read the first time; and referred to
the Examiners of Petitions for Private
Bills.

WRITTEN ANSWERS.

SCOTLAND.

WARDERS' QUARTERS, PERTH PRISON.

Mr. N. MACLEAN asked the Secretary of State for Scotland what is the approximate floor-space of the living and sleeping rooms in the prison warders' quarters at Perth; whether he is aware that the kitchen and two bedrooms of the quarters in which Warder W. G. Wilson was expected to reside with his wife and three children during structural alterations to his quarters measured 206 square feet, 182 square feet, and 156 square feet, respectively; that structural alterations, painting, and decorating were executed in all the rooms at the same time; were his medical advisers satisfied that the conditions were adequate; and will he reconsider the officer's claim for rent of alternative accommodation and other expenses during the alterations?

Sir G. COLLINS: The floor space of the kitchens in the warders quarters at Perth Prison varies from a maximum of 206 to a minimum of 132 square feet (average 167) and that of other rooms from 210 to 63 square feet (average 128). The floor space of the kitchen and rooms in the quarters of Warder W. G. Wilson is approximately as stated. As explained in replies to similar questions on 13th March, it was because this officer chose to remove his wife and family from the quarters shortly after the work of alteration and improvement had commenced that advantage was taken of the position to proceed with the work in several rooms simultaneously. In the absence of the

wife and family there was no occasion for medical advice as to the conditions, but my right hon. Friend is informed that the medical officer would have had no objection to the conditions if the work had proceeded in the normal way. The officer's claim for rent of other accommodation and expenses during the alterations has already received full consideration, and my right hon. Friend sees no reason for departing from the decision that payment would not be justified.

ADMIRALTY CONTRACT, GREENOCK.

Mr. N. MACLEAN asked the First Lord of the Admiralty whether he has now received particulars regarding the dispute in connection with the wages of apprentice electric welders employed by Messrs. Hamilton, of Greenock; and what action he is prepared to take to ensure the observance of the spirit of the fair wages clause?

Lord STANLEY: The answer to the first part of the question is in the affirmative. I am informed that there is no agreement governing the wages of apprentice electric welders, that these apprentices are not in the present case employed on Admiralty work, and that there has been no breach of the fair wages clause on work which is being executed by Messrs. Hamilton under an Admiralty contract.

MILK MARKETING SCHEME.

Mr. HENDERSON STEWART asked the Secretary of State for Scotland whether he is aware that the pouding and forcible sale of cows to meet levies due to the Milk Marketing Board is causing resentment in Scotland; that such action deprives producers of milk not only of their means of livelihood but also of their only possible means of paying their debts; and whether he will represent to the Milk Marketing Board that in their own best interests and in order to retain public support, which is vital to their continued existence, pouding and forcible sales of cows should cease forthwith and other more reasonable steps be taken to obtain settlement of outstanding debts?

Sir G. COLLINS: As stated in reply to a question on 4th April by the hon. Member for Plaistow (Mr. Thorne), I have no responsibility for the actions of the Scottish Milk Marketing Board in

this matter. I have however communicated the terms of the question to the Board for their consideration.

AIRCRAFT (NOISE).

Mr. LOVAT-FRASER asked the Under-Secretary of State for Air whether there is a panel of the Aeronautical Research Committee or any other official body devoting itself to the study of the problem of noise in and from aircraft; and, if so, when a report may be expected?

Sir P. SASSOON: Yes, Sir; the problem, which is a difficult and complex one, is being studied by the Aircraft Noise Sub-Committee of the Aeronautical Research Committee, and a comprehensive programme of research is proceeding. A note on the sub-committee's work to date is printed with each annual report of the Aeronautical Research Committee.

HOUSING ACT, 1930 (COUNTY COURT APPEALS).

Miss WARD asked the Minister of Health how many appeals have been made to the county court under Section 22 of the Housing Act, 1930, the figures to relate to the whole country, the county of Northumberland, and the county of Durham, respectively, and to show the number of appeals which have been successful in each area?

Mr. SHAKESPEARE: My right hon. Friend is informed that since the Housing Act, 1930, came into operation until the end of 1934 the number of appeals entered under Section 22 of the Act has been 824 for the whole country, of which six related to the county of Northumberland and 13 to the county of Durham: the number of appeals allowed has been 216 for the whole country. None of these related to the county of Northumberland; four related to the county of Durham.

MEDICAL OFFICERS OF HEALTH (SUPERANNUATION).

Captain ELLISTON asked the Minister of Health whether he is prepared to bring pressure on those local authorities whose failure to adopt the recommendations of the Askwith memorandum on salaries of whole-time public health medical officers

means denial of fair rates of superannuation to medical officers now approaching the age of retirement?

Sir H. YOUNG: No, Sir. I have no power to enforce these recommendations, but in those cases in which my approval is required to the appointment of a medical officer of health, it is my practice where necessary to call the special attention of the local authority to the recommendations.

FARM WORKER, IVER.

Mr. GROVES asked the Minister of Health under what statutory authority a farm hand at Iver, Bucks, was compelled, under a magistrate's order, to enter hospital as an alleged disease carrier?

Sir H. YOUNG: I understand that the person referred to was removed to hospital under the powers conferred by Section 124 of the Public Health Act, 1875.

POST OFFICE (HIS MAJESTY'S SILVER JUBILEE).

Captain ERSKINE-BOLST asked the Postmaster-General whether he has considered the representation made by the Federation of Post Office Supervising Officers asking that the day in lieu of the King's Silver Jubilee Bank Holiday may be taken at any time and not necessarily in the winter; and whether, in order to mark the occasion, he will agree to that request?

Sir K. WOOD: I would refer my hon. and gallant Friend to the answer which I gave on 11th March to the hon. Member for West Walthamstow (Mr. McEntee). The matter is still under consideration.

OFFICE OF WORKS CONTRACTS (FAIR WAGES CLAUSE).

Mr. MANDER asked the First Commissioner of Works whether it is the practice of his Department, where a national joint industrial council exists in an industry, to recognise the rate of wages fixed by it in connection with the fair wages clause of the House of Commons, and only to place contracts with firms observing this rate?

Mr. ORMSBY-GORE: All contracts for the service of the Office of Works include a clause embodying the Fair Wages Resolution of the House of Commons. In accordance with this clause, where a rate of wages fixed by a national joint industrial council is commonly recognised by employers and trade societies, the contractor is bound by the terms of his contract to pay such a rate. In the absence of such recognised wages in the district concerned, the contractor is bound to pay those which in practice prevail among good employers in that district.

AFRICAN FAUNA AND FLORA (CONVENTION).

Mr. LEWIS asked the Secretary of State for the Colonies which of the countries which took part in the international conference for the protection of the fauna and flora of Africa in November, 1933, have yet ratified, or have yet signified their intention to ratify, the convention then concluded?

Sir P. CUNLIFFE-LISTER: The convention has been ratified by His Majesty's Government in the United Kingdom and by the Egyptian Government. I understand that no other Governments have yet signified their intentions in regard to ratification.

TRANSPORT.

ROAD ACCIDENTS.

Mr. MARTIN asked the Minister of Transport whether bad visibility, due to clouded wind-screens in bad weather, has been a factor in causing accidents on the road?

Mr. HORE-BELISHA: Regulations at present require that all glass or safety glass fitted to motor vehicles shall be maintained in such condition that it does not obscure the vision of the driver while the vehicle is being driven on a road. There is no means of measuring to what extent neglect of this regulation may have caused accidents, or observance of it avoided them.

BUILT-UP AREAS (SPEED LIMIT).

Mr. MARTIN asked the Minister of Transport whether he will consider de-restricting certain areas from the speed limit regulations to allow motorists to

travel up to 40 miles per hour on dry days in those areas where they are at present restricted to 30 miles per hour, which limit could apply on wet days.

Mr. HORE-BELISHA: I have no power to take the action suggested by my hon. Friend.

RAILWAY FACILITIES, LONDON-ROMFORD.

Mr. HUTCHISON asked the Minister of Transport whether he possesses any statistics to show the overcrowding in trains between Romford and London; and, if not, whether he will obtain these with the object of either making representations to the London Passenger Transport Board in favour of the improvement of the existing train service or, if that is not possible, considering the erection of a tube extending eastwards which will take off some of the heavy traffic which obtains on all East Essex suburban lines?

Mr. HORE-BELISHA: I have no detailed statistics bearing on this subject, but the whole question of the improvement of travelling facilities in this area is under the consideration of the standing joint committee of the main line railway companies and the London Passenger Transport Board.

TOLL ROADS AND TOLL BRIDGES.

Captain P. MACDONALD asked the Minister of Transport what reduction took place in the number of toll roads and toll bridges in Great Britain during the financial year ended 31st March; how many of each now remain; and how many of these are owned by railway companies,

local authorities, and Government Departments, respectively?

Mr. HORE-BELISHA: The following toll roads and toll bridges remain in Great Britain:

Ownership.	Toll Roads.	Toll Bridges.
Private individuals and Companies.	48	54
Railway Companies ...	4	9
Local Authorities ...	2	8
Government Departments...	—	1
	54	72

No toll roads or toll bridges were freed during the financial year 1934-35, but one toll bridge has since been freed.

WHALING (INTERNATIONAL CONVENTION).

Mr. LEWIS asked the Secretary of State for Foreign Affairs which countries that took part in the drawing up of the international convention for the regulation of whaling have not yet ratified the convention?

Mr. BALDWIN: The countries which signed but have not yet ratified the International Convention for the Regulation of Whaling of 1931 are Albania, Australia, Belgium, Canada, Columbia, Finland, France, Germany, Greece, India, New Zealand and Rumania.

ORDERS OF THE DAY.

GOVERNMENT OF INDIA BILL.

Considered in Committee [TWENTIETH DAY—*Progress, 9th April*].

[Sir DENNIS HERBERT in the Chair.]

CLAUSE 294.—(*Legislature*.)

Motion made, and Question proposed (9th April), "That the Clause stand part of the Bill."

Question again proposed.

3.38 p.m.

The CHAIRMAN: The question before the Committee is "That the Clause stand part of the Bill." Before we proceed, may I say a few words about the order of business to-day? When we have finished Clause 296, which I understand will take only a few minutes, we shall be at the end of Part XIII. That brings us to Part XIV, dealing with Burma. The Committee will remember that, with the general assent of the Committee, a promise was given from the Chair that when we came to Part XIV there should be an opportunity given for debate on the general question of the separation of Burma. I have come to the conclusion that the most convenient place to take that discussion will be on the question that the first of the Burma Clauses, Clause 298, stand part of the Bill. There is a Government Amendment down to that Clause which we shall have to dispose of first. Then we shall take the question, "That the Clause, as amended, stand part of the Bill" and we will have the debate on the separation of Burma from India. After that, we shall come to a long series of Clauses which, with a few important exceptions, are repetitions of Clauses in the India part of the Bill. There are a very large number of Government Amendments down to those Clauses which again, with a very few important exceptions, are repetitions of the Amendments which have been made in the India Clauses. I think, therefore, that I shall materially assist the Committee if, in dealing with these Clauses and Amendments, I put them to the Committee as rapidly as is compatible with decency and order. I will, therefore, warn hon. Members that if for any reason they want to say anything on any of the questions which are

thus put rapidly from the Chair, it will be well that they should not merely rise in their place but should call, and call loudly, otherwise it is likely the Chair may not see them nor hear them. I have been through all these Clauses and Amendments with the greatest care, and I will pause and go more slowly before attempting to put an Amendment which is not merely a repetition or a consequential Amendment. I hope that will meet with the general approval of the Committee.

3.41 p.m.

Mr. CHURCHILL: With regard to the present Clause, Clause 294, I hope that this will not prevent in any way the very important points which arise on the Clause being clearly put before the public and the Committee. The Clause, after all, raises the entire position which is going to follow in India on the passage of the Bill. While everyone wishes to get on to Burma as early as possible, I think there should be an opportunity for an appropriate statement on the Clause.

The SECRETARY of STATE for INDIA (Sir Samuel Hoare): May I remind the Committee that there was an agreement reached among all sections of the Committee last night that we should reach the end of the India chapter last night? I do not want to burke any discussion, but it is difficult to carry on if these agreements are not observed.

Mr. CHURCHILL: The Secretary of State is somewhat ungrateful considering the rapid progress which is being made with the Bill and the enormous number of Clauses which have been got through. I do not think he should complain in these querulous terms. I have given no undertaking except the general one given in the first instance, that the matter should be disposed of within the 26 days plus four, but I agree that other views may be expressed. At the same time, if it is desired to have a quarter of an hour or 20 minutes to bring out important points on a Clause like this, I think it would be a great mistake to stop such discussion by the Committee.

Sir S. HOARE: I should never have mentioned the matter were it not for the fact that the hon. and gallant Member who is regarded as the right hon. Gentleman's principal representative and I made this arrangement last night.

3.43 p.m.

Mr. MORGAN JONES: May I corroborate what the Secretary of State has said? I was approached myself, I think it was by the Secretary of State himself, about a quarter past nine with an inquiry as to whether we would co-operate to secure the completion of the India part of the Bill by 11 o'clock last night. We had two or three Amendments of our own which we desired to discuss but, in accordance with the undertaking arrived at with those who are supposed to be entitled to speak on behalf of their section of hon. Members, we succeeded in suppressing ourselves in order that the discussion might be brought to an end by 11 o'clock. If we are now going to have a long discussion on what has blown over since last night I shall in future want to know who is entitled to speak on behalf of hon. Members opposite.

3.44 p.m.

Brigadier-General Sir HENRY CROFT: The Committee will permit me to say that the suggestion was put before me at an early hour last evening and I said that as far as I could speak for myself and my friends we would endeavour to get to the end of Chapter 13 last night. Two or three Amendments took longer than was contemplated, but I gave an assurance that as far as I could influence the situation we would try to bring the discussion on this Clause to an end about four o'clock to-day.

3.45 p.m.

Mr. HERBERT WILLIAMS: As one who was in no sense a party to this agreement, of which I had no knowledge at all, may I say that I moved an Amendment about a quarter past nine last night and perhaps interfered somewhat with the arrangement that had been made. I think that when arrangements of this kind are made they should be announced to hon. Members so that we should all be aware of them. If but a few hon. Members make an arrangement of this kind it is somewhat unfair to blame other hon. Members who are not aware of them if they are not observed.

3.46 p.m.

Mr. CHURCHILL: A Parliamentary agreement which has been entered into must be implemented, and if the Government insist that no further word must be said on this grave and serious matter we must submit to it. The point is one

of considerable importance and a reasonable statement ought to be made. The Debate which was in progress last night was not completed, but if the Government like to insist on cutting it off abruptly they can do so, but I do not think they would be serving their own interests in curtailing debate. In twenty minutes the matter could be disposed of. I never suggested more than that. The Secretary of State who has received so much assistance from the Committee in the progress of the Bill seems to be most challenging when dealing with this matter. Anyone who looks at him can see the state of irritation in which he is.

Sir S. HOARE: The Government are not trying to insist on anything. As a member of the Committee I have a strong prejudice in favour of carrying out agreements which are made by other hon. Members, and if it is the wish of any section of the Committee to continue the Debate the Government have not the least intention of standing in the way.

3.48 p.m.

The CHAIRMAN: It is possible that there appears to be a little disagreement where in fact there is little or none. These arrangements have nothing to do with the Chair but they are usually communicated to the Chair and I was given to understand that the understanding arrived at after the Committee failed to finish Part XIII last night was that we should finish these remaining Clauses about four o'clock this afternoon. If we had started the Debate at once without this discussion—[*Interruption*—]—which I was about to say I initiated—we should have started the Debate about seven minutes ago and might have completed it before four o'clock, as the right hon. Member for Epping (Mr. Churchill) himself spoke of requiring only about a quarter or half an hour. May I assure the right hon. Gentleman in reply to a point he put to me, that as far as I am personally concerned that if I ever feel any resentment against anybody in these proceedings I shall try my best to hide it.

3.49 p.m.

Colonel GRETTON: I suggest that it is possible to have a general agreement to carry on on general lines, but that a little elasticity here and there does no harm to the progress of business and is desirable on certain occasions. We were

discussing this Clause last night, which sets up the present Legislature at Delhi in the same position during the transitional period as the Federal Assembly is to be when the Bill comes into full operation. With one exception—the Legislative Assembly is not to be able to raise money by loan. We have called attention to the extraordinary position which will thus be created by the proposals of the Government. The Assembly may be obliged to carry on with the powers under this Clause for an unlimited and indefinite period. The conditions for setting up the Federal Assembly may not be fulfilled. The accession of the Princes is a primary condition. The other condition is that there should be a state of financial stability and equilibrium to justify handing over the central government to the new Federation. That condition has not yet been fulfilled. There is a third condition that I would suggest. It is that the party in India who will be responsible for the working of the new Federal government should at any rate be in the frame of mind that they will work it willingly and efficiently. That is far from being the case. There is no one of the organised parties in India who accepts this Bill or has any intention of working it as it stands.

Under all these conditions there is to be a long delay, and during that delay the Legislative Assembly is to have all power. It will be intolerable. In view of the Government's own admission that the period may be long and the conditions will be unfulfilled, the Committee would be well advised to reject the Clause. It is certainly going to be unworkable, and, as the Government have said, intolerable. More than that, it is going to be dangerous. The Congress party dominates the Legislative Assembly, and it has indicated that it is entirely unwilling to work the system set out in the Bill. In these circumstances, with a restive and hostile Legislature, nothing can be anticipated but a state of chaos and confusion in the administration of the central government of India. I do not want to press or elaborate these arguments, but the Government will be well advised to withdraw the Clause and bring in a new Clause setting up a more carefully thought-out system for the period of transition. This is a sort of slap-dash, clumsy, rough-and-ready way of getting over the difficulty, and I

seriously doubt whether the Government themselves and their advisers have given sufficient time to consideration of this part of the proposal.

3.55 p.m.

Mr. CHURCHILL: This Clause confronts us with the situation that the entire policy and plan on which the Government have been proceeding step by step during the four or five years of discussion upon this subject has reached a complete stultification and breakdown in its conclusions. It is quite clear that the Princes are not coming in in any period which a reasonable man can foresee. That is quite clear. The "Times" newspaper admits it. [*Laughter.*] Laugh at the "Times." Is there anything you will not laugh at if you disagree with it? I hope they will see that they are laughed at when any admission which appears in their columns is not agreed with. The Secretary of State has carried his Measure and his policy forward by assuring the House and the Conservative party that it was in deference to the wishes of the Princes, and with his colleagues has again told us that it was upon their co-operation alone that this policy could be contemplated. But the best judges on the spot are quite definite that there is no question of the Princes coming in for years, and it may be never, on this basis. At any rate it is a very great uncertainty whether they will come in at all, into this system of Federal home rule for India, and if they do not come in we are relegated to the provisions of this Clause, that is to say, to the existing system, which has distinguished itself in the last session by bringing matters to a deadlock, so that everything had to be settled out of hand by the Viceroy on his certificate.

This Indian Assembly, whose vices the supporters of this Bill have never failed to describe and to dwell upon, and to emphasise—this Assembly will continue, and will be the heir of very much larger and rather heterogeneous divided powers which will be placed upon it; and on that basis we are to go on in perpetuity—it may be in perpetuity—until the Princes come in, and no one can say when that will be. Therefore the result of all these years of discussion, all the Committees and Commissions, leads you to a point where there is a complete breakdown in the conclusion, and you

[Mr. Churchill.]

are at the point which of all points is the one which was declared by the Secretary of State, by the Lord President, by every spokesman, by the eminent members of the Joint Select Committee, to be the point at which you could not possibly rest.

Mr. THORNE: Keep your temper.

Mr. CHURCHILL: I assure the hon. Member that I always keep my temper. I was endeavouring to put a point to the Committee and I do not think that anything I said should have led the hon. Member to make that remark. This is the very situation which they have always declared it was impossible to contemplate. I have never seen a great case advanced in which the whole structure of argument has been so completely telescoped and shattered. Here we are on this Clause facing the kind of situation which is to arise in India. In the Provinces you will have tremendous friction and party strife, and at the Centre you will have not merely this Government, whose weakness you have so repeatedly described, but you will have the confusion of the additional powers. The Princes are not coming in, and unless they come in this is the only system which is to prevail in India.

There never has been a more complete breakdown in a great policy, or what began by being a great policy, than is exemplified in the situation to-day. I was reproached by my right hon. Friend the Member for West Birmingham (Sir A. Chamberlain) with being merry at a time when I indulged in the prophecies of a Cassandra, which prophecies, I have been taught, invariably became the truth. The course of events has produced almost the exact situation which I advised would occur three or four years ago, that you would be able to carry your provincial scheme into operation, but that you would not, and ought not to carry your Federal scheme. If, however, you had faced that, and boldly tried to make a success of your provincial scheme, you would have set up an arrangement at the centre which would have given some improvement in the central government, but did not confer federal home rule on India. You have pretended to give home rule at the centre, when, in the absence of the Princes, you know you cannot do it, and you leave the whole government

of India under this vague and confused transitional Clause. I hope the country out of doors will thoroughly appreciate the extreme confusion and bad manipulation and arrangements into which the policy of a mighty Empire is being thrown, not for the purpose of gratifying the wishes of its inhabitants, not for the purpose of producing an agreed solution between the great parties in this country, but, in its later stages, for no worthier purpose, in my opinion, than to save the face and vindicate the obstinacy of people whose hands are on the levers of power.

4.3 p.m.

Duchess of ATHOLL: I desire, very briefly, to point out that at present the Governor-General has the power of superintendence, direction and control of provincial subjects. I regard those as very valuable powers from the point of view of efficiency, and both the Simon and Linlithgow Commissions wished these powers increased in regard to such subjects as education and agriculture. But the Governor-General will lose all powers in regard to those subjects, and I feel that that will be a very great loss to the welfare of the people of India. It is bound to lead to increased inefficiency in many provincial services. The Federal Legislature will also use the power it has at present to legislate for provincial subjects where rules made under the 1919 Act make this possible. There, again, is a power of giving general supervision with a view to keeping the provincial departments up to standard. Therefore I envisage with great anxiety the fact that if, as seems possible, or indeed probable, that Federation may not materialise, or materialise for years to come, we shall have the Central Government of India, to a certain extent, hamstrung in regard to matters which are of great importance to the welfare of the people in the Provinces.

4.5 p.m.

Sir S. HOARE: I was amazed by the speech of my right hon. Friend the Member for Epping (Mr. Churchill.) I thought that from his great sources of knowledge he would produce some wonderful discovery. In point of fact, we have merely heard another of his Second Reading speeches, another of his dismal prophecies about the future, another of his general criticisms of the people behind

this Bill. Let the Committee remember what actually this Clause intends to do. It is intended for the transitional period. I do not take the view of my right hon. Friend that the transitional period is going on for ever. I do not take the view that the Princes are not going to enter the Federation at any time which any of us can foresee. I should have thought that, supposing my right hon. Friend was right that the transitional period was going on for ever, nobody would be more delighted than my right hon. Friend.

Mr. CHURCHILL: You should make better arrangements.

Sir S. HOARE: In point of fact, we are making substantially the arrangements contemplated in the Statutory Commission's Report. I always had the idea that my right hon. Friend regarded this as—what shall I say?—his Bible. We are setting up almost exactly the kind of arrangement at the centre which was contemplated by the Statutory Commission. There are two differences, I admit. The first difference is that we contemplate the interim period being much shorter than the Statutory Commission contemplated that it would be. Secondly, we do not increase the number of the elected members in the Central Assembly. I should have thought that that would have delighted my right hon. Friend. Speaking generally, we leave the centre very much as it is. We feel that we are able to do that, provided the period is an interim period. If, however, my right hon. Friend were right in his dismal vaticinations—and I do not think that events will prove it—then I agree that a difficult situation would arise—a situation contemplated by my right hon. Friend the Member for West Birmingham (Sir A. Chamberlain), and other of my colleagues, namely, the difficulty of reconciling an irresponsible centre with responsible units. But we need not consider that hypothetical situation until it arises.

Mr. CHURCHILL: When will it arise?

Sir S. HOARE: My right hon. Friend says never. If he had been here last night, it would have been an excellent thing from many points of view. It would have saved a quarter of an hour's discussion to-day. I have tried to

explain to the Committee that neither I nor any one who is following closely these affairs is prepared to make an exact prophecy. This Clause is based upon two conceptions—first of all, that it is for an interim and not a permanent period, and, secondly, that being for an interim period we propose to make as few alterations as possible in the duties and powers of the Central Government.

1.8 p.m.

Duchess of ATHOLL: With regard to what the Secretary of State said, that the Centre to be set up in the interim period is the same as was proposed by the Simon Commission, may I ask him whether it is not the case that in paragraph 184, Volume II, of the Statutory Commission's Report, they say:

"We think it essential that the Central Government, in dealing with questions which vitally affect more than one province, should in the future have a more authoritative position than it now enjoys, constitutionally, in the transferred sphere."

I ask whether it is not the case, as I said before, that the Central Government is to have no power at all in regard to all the items in the provincial list, and that, therefore, whereas the Simon Commission wishes the Central Government to have more power than it now gets with regard to the provincial subjects, the right hon. Gentleman's Bill proposes to take away even the power which at present the Government exercises?

Sir S. HOARE: My Noble Friend, for once, is wrong. The Statutory Commission, made no recommendation to that effect at all. It contemplated a situation in which the Central Government would use its influence. I, also, contemplate that situation, and nothing in our proposals is in any way contrary to that.

Duchess of ATHOLL: Does my right hon. Friend deny that the words I have quoted are to be found in paragraph 184, Volume II, of the Report? May I ask him to refresh his memory on the Report?

Sir S. HOARE: Will my Noble Friend also refresh her memory as to the recommendations at the end of it?

4.10 p.m.

Sir H. CROFT: I feel that it would be improper to me to attempt to answer the Secretary of State, for the simple

[Sir H. Croft.]

reason that I gave my word last night in regard to this Debate. But I want to say that what he has said in no way satisfies the point of view we put up last night. We cannot vary our ground, and we hope that on the Report stage we

shall have ample opportunity of discussing this very vital matter.

Question put, "That the Clause stand part of the Bill."

The Committee divided: Ayes, 246; Noes, 39.

Division No. 152.]

Addison, Rt. Hon. Dr. Christopher
Agnew, Lieut.-Com. P. G.
Anstruther-Gray, W. J.
Apsley, Lord
Assheton, Ralph
Baldwin, Rt. Hon. Stanley
Banfield, John William
Barclay-Harvey, C. M.
Barton, Capt. Basil Kelsey
Batey, Joseph
Benn, Sir Arthur Shirley
Blindell, James
Borodale, Viscount
Briscoe, Capt. Richard George
Brocklebank, C. E. R.
Brown, C. W. E. (Notts., Mansfield)
Brown, Col. D. C. (N'th'd., Hexham)
Bullock, Captain Malcolm
Burgin, Dr. Edward Leslie
Butler, Richard Austen
Cadogan, Hon. Edward
Caporn, Arthur Cecil
Cautley, Sir Henry S.
Cazalet, Capt. V. A. (Chippenham)
Chapman, Col. R. (Houghton-le-Spring)
Chapman, Sir Samuel (Edinburgh, S.)
Chorlton, Alan Ernest Leofric
Clayton, Sir Christopher
Cobb, Sir Cyril
Cocks, Frederick Seymour
Collins, Rt. Hon. Sir Godfrey
Colman, N. C. D.
Colville, Lieut.-Colonel J.
Conant, R. J. E.
Cook, Thomas A.
Cooke, Douglas
Cooper, A. Duff
Copeland, Ida
Cooke, J. Smedley
Crockshank, Col. C. de Windt (Bootle)
Crossley, A. C.
Curry, A. C.
Daggar, George
Davidson, Rt. Hon. J. C. C.
Davies, David L. (Pontypridd)
Davies, Maj. Geo. F. (Somerset, Yeovil)
Davies, Rhys John (Westhoughton)
Davies, Stephen Owen
Denman, Hon. R. D.
Denville, Alfred
Despencer-Robertson, Major J. A. F.
Dickie, John P.
Dobbie, William
Drews, Cedric
Duckworth, George A. V.
Dugdale, Captain Thomas Lionel
Dunglass, Lord
Eddy, George H.
Eales, John Frederick
Edwards, Charles
Ellis, Sir R. Geoffrey
Elmley, Viscount
Emrys-Evans, P. V.
Evans, Capt. Arthur (Cardiff, S.)
Evans, Capt. Ernest (Welsh Univ.)
Evans, R. T. (Carmarthen)
Fermoy, Lord
Fielden, Edward Brocklehurst
Fox, Sir Gifford
Fremantle, Sir Francis
Gardner, Benjamin Walter
Glossop, C. W. H.

Gluckstein, Louis Halle
Glyn, Major Sir Ralph G. C.
Goff, Sir Park
Graham, D. M. (Lanark, Hamilton)
Grattan-Doyle, Sir Nicholas
Graves, Marjorie
Grenfell, David Rees (Glamorgan)
Griffith, F. Kingsley (Middlesbro', W.)
Griffiths, George A. (Yorks, W. Riding)
Grigg, Sir Edward
Grimston, R. V.
Groves, Thomas E.
Grundy, Thomas W. e
Guinness, Thomas L. E. B.
Gunston, Captain D. W.
Guy, J. C. Morrison
Hacking, Rt. Hon. Douglas H.
Hall, George H. (Merthyr Tydvil)
Hamilton, Sir R. W. (Orkney & Zetland)
Hammersley, Samuel S.
Hannon, Patrick Joseph Henry
Harbord, Arthur
Harris, Sir Percy
Hartland, George A.
Harvey, George (Lambeth, Kennington)
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Headlam, Lieut.-Col. Cuthbert M.
Helliars, Captain F. F. A.
Henderson, Sir Vivian L. (Chelmsford)
Heneage, Lieut.-Colonel Arthur P.
Herbert, Major J. A. (Monmouth)
Hills, Major Rt. Hon. John Waller
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Holdsworth, Herbert
Hope, Capt. Hon. A. O. J. (Aston)
Hore-Bellisha, Leslie
Horsburgh, Florence
Howitt, Dr. Alfred B.
Hume, Sir George Hopwood
Hurst, Sir Gerald B. e
Inskip, Rt. Hon. Sir Thomas W. H.
Iveagh, Countess of
Jackson, Sir Henry (Wandsworth, C.)
Jackson, J. C. (Heywood & Radcliffe)
James, Wing-Com. A. W. H.
Jamieson, Douglas
John, William
Jones, Henry Haydn (Merioneth)
Jones, Morgan (Caerphilly)
Ker, J. Campbell
Kerr, Hamilton W.
Kirkpatrick, William M.
Kirkwood, David
Lansbury, Rt. Hon. George
Law, Sir Alfred
Law, Richard K. (Hull, S.W.)
Lawson, John James
Leckie, J. A.
Leach, Dr. J. W.
Leonard, William
Lewis, Oswald
Liddall, Walter S.
Lindsay, Kenneth (Kilmarnock)
Lindsay, Noel Ker
Lister, Rt. Hon. Sir Philip Cunliffe
Lloyd, Geoffrey
Logan, David Gilbert
Lovat-Fraser, James Alexander
Mabane, William
MacAndrew, Lieut.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)

AYES.

[4.10 p.m.]

Macdonald, Gordon (Ince)
Macdonald, Capt. P. D. (I. of W.)
McEntee, Valentine L.
McEwen, Captain J. H. F.
McGovern, John
McKeag, William
McKie, John Hamilton
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Magnay, Thomas
Mainwaring, William
Mander, Geoffrey le M.
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Martin, Thomas B.
Mason, David M. (Edinburgh, E.)
Maxton, James
Mayhew, Lieut.-Colonel John
Meller, Sir Richard James
Milne, Charles
Mitchell, Harold P. (Brit'f'd & Chiswick)
Mitchell, Sir W. Lane (Stroatham)
Molson, A. Hugh Elsdale
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, G. A. (Scottish Universities)
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
North, Edward T.
O'Connor, Terence James
Ormsby-Gore, Rt. Hon. William G. A.
Orr Ewing, I. L.
Palling, Wilfred
Patrick, Colin M.
Peat, Charles U.
Penny, Sir George
Perkins, Walter R. D.
Petherick, M.
Plekhorn, K. W. M.
Potter, John
Procter, Major Henry Adam
Radford, E. A.
Ramsey, T. B. W. (Western Isles)
Rankin, Robert
Rathbone, Eleanor
Reed, Arthur C. (Exeter)
Reid, James S. C. (Stirling)
Reid, William Allan (Derby)
Rickards, George William
Roberts, Aled (Wrexham)
Ropner, Colonel L.
Rosbotham, Sir Thomas
Ross Taylor, Walter (Woodbridge)
Ruggles Brise, Colonel Sir Edward
Russell, Albert (Kirkcaldy)
Russell, Alexander West (Tynemouth)
Russell, R. J. (Eddisbury)
Salmon, Sir Isidore
Salt, Edward W.
Samuel, Rt. Hon. Sir H. (Darwen)
Samuel, M. R. A. (W'ds'wth, Putney)
Savery, Samuel Servington
Shaw, Helen B. (Lanark, Bothwell)
Shepperson, Sir Ernest W.
Smith, Bracewell (Dulwich)
Smith, Louis W. (Sheffield, Hallam)
Smith, Sir Robert (Ab'd'n & K'dine, C.)
Smithers, Sir Waldron
Somervell, Sir Donald
Spears, Brigadier-General Edward L.
Spencer, Captain Richard A.

Spens, William Patrick
 Stanley, Rt. Hon. Lord (Fyde)
 Stanley, Rt. Hon. Oliver (W'morland)
 Stevenson, James
 Strickland, Captain W. F.
 Stuart, Hon. J. (Moray and Nairn)
 Stuart, Lord C. Crichton-
 Sueter, Rear-Admiral Sir Murray F.
 Thompson, Sir Luke
 Thorne, William James
 Tinker, John Joseph

Titchfield, Major the Marquess of
 Tufnell, Lieut.-Commander R. L.
 Wallace, Captain D. E. (Hornsey)
 Ward, Lt.-Col. Sir A. L. (Hull)
 Wardlaw-Milne, Sir John S.
 Warrender, Sir Victor A. G.
 Waterhouse, Captain Charles
 Wedderburn, Henry James Scrymgeour-
 Wedgwood, Rt. Hon. Josiah
 White, Henry Graham
 Whiteside, Borras Noel H.

Williams, Edward John (Ogmore)
 Willoughby de Eresby, Lord
 Willis, Wilfrid D.
 Wilmot, John
 Wilson, Clyde T. (West Texteth)
 Windsor-Gilve, Lieut.-Colonel George
 Winterton, Rt. Hon. Earl
 Worthington, Dr. John V.

TELLERS FOR THE AYES.—
 Captain Austin Hudson and Sir
 Walter Womersley.

NOES.

Acland-Troyte, Lieut.-Colonel
 Applin, Lieut.-Col. Reginald V. K.
 Atholl, Duchess of
 Balfour, George (Hampstead)
 Blaker, Sir Reginald
 Boyd-Carpenter, Sir Archibald
 Bracken, Brendan
 Broadbent, Colonel John
 Brown, Brig.-Gen. H.C. (Berks., Newb'y)
 Burnett, John George
 Churchill, Rt. Hon. Winston Spencer
 Craddock, Sir Reginald Henry
 Croft, Brigadier-General Sir H.
 Davison, Sir William Henry

Dawson, Sir Philip
 Emmott, Charles E. G. C.
 Erskine-Bolst, Capt. C. C. (Blackpool)
 Goodman, Colonel Albert W.
 Gretton, Colonel Rt. Hon. John
 Hartington, Marquess of
 Keyes, Admiral Sir Roger
 Knox, Sir Alfred
 Lennox-Boyd, A. T.
 Levy, Thomas
 Macquisten, Frederick Alexander
 Nail, Sir Joseph
 Nicholson, Rt. Hon. W. G. (Peters'fild)
 Peto, Sir Basil E. (Devon, Barnstaple)

Raikes, Henry V. A. M.
 Rutherford, John (Edmonton)
 Sanderson, Sir Frank Barnard
 Somerville, Annesley A. (Windsor)
 Taylor, Vice-Admiral E. A. (P'dd'gt'n, S.)
 Todd, Lt.-Col. A. J. K. (B'wick-on-T.)
 Touche Gordon Cosmo
 Wells, Sydney Richard
 Williams, Herbert G. (Crowdon, S.)
 Wilson, Lt.-Col. Sir Arnold (Hert'fd)
 Wolmer, Rt. Hon. Viscount

TELLERS FOR THE NOES.—
 Commander Marsden and Mr.
 Donner.

The **CHAIRMAN**: I propose to put Clauses 295, 296 and 297 together if no hon. Member has anything to say upon them.

Sir H. **CROFT**: We propose to say a great deal about them on the Report stage if we have an opportunity then.

Clauses 295, 296 and 297 ordered to stand part of the Bill.

CLAUSE 298.—(*Government of Burma by the Crown.*)

4.20 p.m.

The **UNDER-SECRETARY of STATE for INDIA (Mr. Butler)**: I beg to move, in page 175, line 8, to leave out "his territories in Burma," and to insert:

"the territories in Burma for the time being vested in him."

This is a drafting Amendment which brings the wording of this Clause into line with the wording of the corresponding Clause relating to India.

Amendment agreed to.

Motion made, and Question proposed, "That the Clause, as amended, stand part of the Bill."

4.21 p.m.

Sir **REGINALD CRADDOCK**: Burma did not really figure at all in the Second Reading Debate on this Bill, and it seems to me and some of my hon. Friends desirable that something should be said generally on the subject of Burma, in respect both of its proposed separation from India and of the form of government which it will have when it has been

separated. I do not think that many Members of this Committee have any real acquaintance with Burma. I think there are only two, one being the hon. and gallant Member for the Ardwick Division of Manchester (Captain Fuller) and the other myself who have actually lived in Burma for some time. Otherwise, I do not think many Members have any personal acquaintance with that country beyond what they may have gained as the result of short visits. The right hon. and gallant Gentleman the Member for Newcastle-under-Lyme (Colonel Wedgwood) paid a hurried five-day visit to Burma when I was there as Governor, but I do not wish to tell tales out of school about what he did there. In the circumstances, it seems to me that I might be allowed a little latitude in dealing with the subject of Burma on this occasion, and what I have to say may be of interest to the Members of the Committee who are about to consider Part XIV of the Bill dealing with the new Constitution of Burma.

People do not always realise that Burma has a history very different from that of India. The Burmese are an entirely different people from the Indians, with an entirely different religion and an entirely different social system. In short, there is no real resemblance between the Burmans who come from a Mongolian race and the inhabitants of India. It is, indeed, only by a political accident that Burma ever came to be included in India. Although the old atlases show Burma,

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Siam and various other places under the denomination of "Further India"—whatever that may mean—it is not to be assumed that at any time Burma ever formed part of the Indian system, either before the British came or since the British rule was established. It is also noteworthy that no part of Burma came under British rule before 1826 and then only the maritime province of Arakan and the maritime division of Tenasserim, one in the North and the other in the South, were temporarily placed under the Government of Bengal. In 1852 when the second Burmese War occurred, the central part of Burma, the Pegu Province came under the Crown as a result of the war, leaving Upper Burma still under a Burmese King. The annexation of Upper Burma was accomplished in 1886 when King Thibaw was deposed and interned in India. Then Upper Burma and Lower Burma, that is to say, Upper Burma, the Arakau and Pegu Provinces and Tenasserim were all amalgamated together as one country under one government.

As a consequence of these changes, disturbances occurred and after the annexation of Upper Burma there was a guerilla warfare which kept things back for a great many years. In consequence the Burmese have been very backward politically as compared with the Indians and that backwardness continues to this day. There is a general idea that the Burmese are much more literate than the Indians and, therefore, more fit to undertake a democratic form of self-government. If one takes the elementary education in Burma, which is not of a very advanced kind, one finds that, in fact, in the matter of literacy, Burma is considerably ahead of India in as much as 71 per cent. of the men and 21 per cent. of the women can read and write in their own language. But in the monastic schools where they are taught the secular education imparted is not at all of a high character and though the people in considerable numbers may be able to read and write, they are riddled with superstitions of every description. They continue to hold all those animistic beliefs which prevailed among the people of that country before Buddhism established itself. Although Buddhism established itself, it never so permeated the people as to obliterate those older beliefs.

For instance, the belief in spirits inhabiting rivers and glens and trees and so forth—generally known as "nats"—continues all over Burma especially among the tribes on the border. It is actual truth to say that the people of many of these tribes lead a miserable existence on account of the fear of "nats." Whatever happens to them is attributed to the "nats," and they are always trying to propitiate these evil fairies who haunt the trees and the rivers. It will be seen, therefore, that for all social and political purposes they are an extremely backward people. Even the Buddhist in Burma has these superstitious fears in the background of his mind. Indeed, one finds great inconsistency among the practising Buddhists in Burma. They may be strict Buddhists nominally, but while they do not like taking life themselves, they do not mind eating something which has been killed, if somebody else is responsible for killing it. To give the Committee a very small instance, if a fisherman who was a Buddhist were asked why he took life, his answer would probably be that he did not take the life of the fish; that he merely pulled it out of the water and the silly thing died of itself.

There is a great irresponsibility in the Buddhist mind. He is so engaged in acquiring spiritual merit that the Buddhist does not bother much about his brother, and that is the honest truth. You find it illustrated in all sorts of ways. If you go about Burma, you will find that all those charitable objects, like an additional ward in a hospital and charities of that sort, in which Indians are interested, are not found among the Burmans. You will find that nearly all the charitable institutions in Burma have been presented by Indians living there and carrying on business there, while the Burman confines himself mostly to religious objects with a view to acquiring merit for himself. I put these points before the Committee because it is well that they should understand that, although we do not get what are called communal questions, so far as religion is concerned, in Burma, we do get very acute distinctions between races, and, as the Bill itself will show, the provisions for communal elections have to be just as much introduced in Burma as in India. The total population of Burma, according to the last census, was 14,500,000, of whom 7,000,000 were

Burmans and of the rest 1,250,000 Karens, 1,000,000 Shans, 1,000,000 Indians, and about 200,000 Chinese. There are all sorts of tribes, and the tribes from the headwaters of the Irrawaddy vary every few miles. There they have lived for centuries, and they have changed hardly at all.

It is true to say that no political movement at all occurred in Burma until Mr. Montagu went out to India, and then the question of Burma had to be considered. Mr. Montagu and Lord Chelmsford never visited Burma, but they had a few people from Burma to come over and talk to them in a deputation. It then became apparent that, although the Burmans had not taken the slightest interest in politics, they began to fear lest they should come under the domination of India as India advanced towards self-government. They particularly urged that they were quite a different people, and that they did not want to be included in India. I have always held that the separation of Burma was necessary at some time, but not so long as the British Government of India governed them both together. Then they could stay as they were, but if the Government at the head of the Government of India became largely Indian, then, of course, there was no appropriateness in continuing Burma inside the Indian Empire at all. The only point now is not whether Burma is to be separated, but when that separation should take effect. All sorts of considerations apply there, namely, whether it should be done when the Federation is established in India, or whether it should be done at some earlier date, and, if so, whether Burma should step at once into the constitution which the Bill provides, or whether more time should be given until the finances of Burma, which are at a very low state at this moment, have recovered. These are questions which are well worth consideration by the Government, and I do not know what the Government exactly intends to do. It must largely depend on the finances of Burma.

Coming back to their political position, although, as I have said, in bare literacy they are more advanced than India, owing to the monastic schools, yet when it comes to literacy in English, there are a very small number of Burmans—1.4 per cent. only—who are literate, and of the women 0.2 per cent. only. It is therefore obvious

that progress in Burma is not nearly so advanced as in India, and that you are really taking a much bigger step in giving the Burmans even the provincial autonomy that you propose to give to India than you are taking in India itself, because it stands to reason that when a country never had a politician in it until 1917, its politics must be extraordinarily immature. You find this in the very irresponsible sort of person who finds his way on to the Legislature. They had a general election specially to decide whether they should separate from India or not, but at that time the people, who had not been co-operating with the Government all those years under the Montagu-Chelmsford reforms, took it into their heads, no doubt under Indian inspiration, that they would be against separation, and a campaign was conducted through the constituencies, for what it was worth. The monks took enormous pains to go round, and the chief argument used at the election time was that if Burma were separated from India, it would then become merely a British Crown Colony. It was said that 3,000,000 unemployed British were to be settled in Burma to the exclusion of their own inhabitants, that no one in future would be able to keep food in his house more than three days, that their private sanitation would be inspected three times a day, and things of that kind.

This was how a large majority, a two-thirds majority, was obtained against the separation of Burma, but when the issue went before the Legislative Council they kept on talking it out, and although the anti-separationists were supposed to be two-thirds—as in fact they were, according to the returns—they have always talked it out from that day to this, and it has never been decided whether they want separation or not. It has only been inferred from what various people have said from time to time. Anybody who has lived in Burma and understands their sentiments knows that they fondly believe that but for the British they would have conquered India and reduced her people to slavery, and he knows, indeed is quite certain, that they really want separation, but for various reasons which have been given to them, as to how they would suffer if they were separated from India, that they would not get any sort of self-government, that they would be kept under as a Crown Colony, and so on.

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That is how the matter stands at present, and I think the Committee should realise what an accident it was that they received what were called the Montagu-Chelmsford reforms at the time they did. They were later than the other Provinces, and when I was made Lieutenant-Governor of Burma at the end of 1917, I had orders to try to work out a system suitable for Burma, quite apart from the reform proposals for India. I waited until the Montagu-Chelmsford report was out, because naturally I should have to study that before I could work out a system of reforms for Burma, and when that report came out I consulted all the various officials and non-officials, the Young Burmans and the Old Burmans, and I devised a scheme. That scheme was duly sent up to the Government of India, who by that time were so busy with their own affairs, the Afghan war, and the framing of their own constitution, that it lay with the Government of India for about a year untouched. Of course, in the meantime Burmans had an opportunity of coming to England, sitting on the steps of the India Office, and interviewing Mr. Montagu, and they repeatedly sent telegrams reporting conversations, real or imaginary, with Mr. Montagu.

The result was that the whole thing was rushed, and the scheme sent up by me to the Government of India never had a chance of being considered in England. The reason given was that the then Joint Select Committee on India was prevailed upon by these delegates to see one Burman and one Karen, and having seen them reported that, after hearing evidence, the Committee was not advised that Burma could be included in the Indian reform scheme. They did not doubt but that the Burmese had deserved and should receive a constitution analogous to that provided by the Bill for India. The result of only two people making statements before them, which they called taking evidence, was that they queered the pitch for any scheme such as I had worked out. In the end what happened was that when the delegates came back, instead of their being crowned with laurels, everybody went quite cracked, and said that the Indian scheme was not good enough for them and they must have complete and immediate Home Rule. Therefore, the whole of Burmese

political opinion, which was very crude, simply rushed into the Montagu-Chelmsford system of reforms, and it took about two years before all those details could be worked out, with the result that Burma has enjoyed the benefits, if you call them so, of the Montagu-Chelmsford scheme for only 12 years. Before that, she was under the Morley-Minto scheme, in a truncated form, because she never had any elections and she had no District Board.

I mention all these facts because they show how inexperienced the Burmans are for any sort of self-government. They are by nature very irresponsible people, and the reforms do not seem to have made them any more responsible. They take no interest in other people's affairs and are all the time anxious to acquire their own spiritual merit on the lines of the picture displayed in Kipling's "Kim." With these problems before us we have to consider how far the system envisaged by this Bill can be applied to Burma. It may be said that the proposal of the Joint Select Committee is to give to Burma the same provincial autonomy as is proposed for the Provinces in India, and on top of that to give certain further responsibilities which, if put into effect at once, would put the Burman people in front of Indians pending the establishment of the Federal Government. It seems absurd to put Burma in advance of India with this political history and background, and it will cause awkward reactions in India if the Burman people are able to boast that, after all, they are better fitted to govern themselves than Indians.

Another point on which we have to dwell is that of defence. In that matter the case of Burma for any form of self-government is very weak, because the Burman people make no contribution to the defence of the country. There are no Burman regiments. We raised two or three battalions in the War and they are capable of being good soldiers when they are on service. They are not lacking in bravery or anything of that kind, but they are so completely undisciplined that they simply cannot learn to do their work in peace time. I will give an instance of a sentry in the military police. He was guarding a little post where there were a few arms, and his duty was to do sentry-go. He heard the noise of music and dancing in the village and, putting his rifle up against a wall, he

left his post and went off to enjoy himself in the village. Someone must have seen him and brought the matter to the notice of the authorities. Of course, he had to have some discipline administered, but he could not understand why. He said: "When I came back I found my rifle where I had placed it, and the other rifles were still there. I could understand you being angry if somebody had stolen a rifle, but as nothing has happened what is all this fuss about?" The whole of the military police consist of Indians, Karens and Chins-Kachins, more or less wild tribes of the frontier. They make good soldiers, so much so that a battalion of them was sent to Malabar, and they were engaged in the suppression of the Moplah rebellion because they were accustomed to hill work. The Burman people have no troops, their regiments having to be disbanded because they could not stand military discipline. They raided a bazaar and frightened the Indian shopkeepers. They stole the officers' revolvers and committed dacoity. They could not bear discipline and simply deserted to their homes.

The Burman people have a very bad history of disasters, so much so that governments are reckoned in Burma as one of the five great calamities. They have flood, pestilence, fire, and earthquake, and governments are another calamity. That is their idea, and we do not wonder at it when we know their history. It is a terrible history of chaos and bloodshed such as one can hardly imagine in any other country. The most surprising thing is that, after all this record, they are a race full of laughter, joy and brightness. They are great gamblers. Every man in Burma gambles because he is a Burman. Men in other countries gamble because they happen to be gamblers. In Burma they all gamble, down to the small girls who carry your clubs round at golf. With these pleasant people everybody is disposed to view favourably a political advancement, but that, of course, is not a very sound argument. You have to see how they will conduct their affairs, and, as they do not police themselves and do not supply troops, it becomes a problem whether a people which is so irresponsible should be given anything like the same political power as we are giving to Indians. The Indian does understand discipline thoroughly well; you have no

trouble with them, but one cannot allow Burman policemen to escort treasure or prisoners because of their careless way of putting one prisoner in charge of the others while the police go off to enjoy themselves.

Therefore, it behoves the Committee carefully to consider how far we should advance in Burma at this stage. I think that it is very risky because they are very irresponsible people, and there are many dangerous elements in the country. There was a serious rebellion only three or four years ago which was conducted, not in some wild part of the country, but within 100 miles of Rangoon itself and in districts which are very well inhabited by ordinary industrious cultivators. These rebellions might recur at any time. In addition to the ordinary garrison, they had to get the military police and no less than two brigades from India before the rebellion was finally subdued. These rebellions spring up very often on comparatively small pretexts, and the people are so superstitious that they are tattooed in order to make them bullet-proof. The tattooers always get away with it for this reason: When the men have a conflict with the police or the military, obviously the percentage of casualties will be very small. Everybody who is untouched is claimed as a success by the tattooer and they comprise the majority. If any are killed, it is explained that after the tattooing they committed a deadly sin and therefore entirely negated the effect of the tattoo. The tattooer therefore gets away with it and the tattooing continues to command their belief, incredible as it may seem. The facts which I have stated with regard to the police and the military show, to my mind, that there is a considerable risk in entrusting law and order to Burma, even if you give her the same measure of provincial autonomy as the Indian Provinces. There is a grave risk in handing over to her any sort of complete power over law and order, including police and magistrates. We must bear in mind their short political history in the modern sense.

The trade and commerce in Burma is in the hands of Europeans and Indians, and they have carried on between them the commercial development of the country. The Burman people themselves have taken very little hand in it, the reason being that although the Burman women are very good in the little retail shops,

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the men are very idle. They have never troubled themselves about trade and commerce and leave it to their wives. Not only in regard to the military and the police, but in commerce and trade the Burman people have taken a back seat entirely, while the Indians and Europeans have developed it. Very few Burman people have been merchants in any big way, and therefore the whole question of trade between Burma and India and between Burma and the United Kingdom has become one of great difficulty. The right hon. Gentleman the Secretary of State will doubtless remember that the idea recommended by the Joint Select Committee was that there should be a trade agreement between the present Government of India and the present Government of Burma so as to make some temporary arrangement between the two countries while affairs settle down and during the rather difficult period which would intervene before the two new governments come into existence. In paragraph 431 of the Joint Select Committee's Report we find their recommendation on this subject:

"We recommend, therefore, that the Act should contain provision for an Order in Council empowering the Governor-General of India and the Governor of Burma respectively in their discretion (i) to apply for a prescribed period to the exchange of goods and commodities between India and Burma a scale of customs duties which shall have been mutually agreed between the existing Governments of India and Burma, or determined by His Majesty's Government in default of agreement, the scale not to be susceptible of variation during the prescribed period except by mutual consent; and"—

this is very important for the United Kingdom—

"(ii) to apply to specified classes of goods and commodities imported into either country from outside sources such variations of the duties imposed by the Indian Tariff Schedules at the date of separation as may have been mutually agreed by the existing Governments of India and Burma before separation, or determined by His Majesty's Government in default of agreement, or as may be mutually agreed thereafter by the two Governments during the prescribed period."

There is not much light on that to be obtained from the Bill. Discussions have been going on, about which the Secretary of State is the only person who can give any information. What I would like to emphasise is that the idea of the Joint

Select Committee, on such information as they had then from India and Burma, was that there should be light revenue duties of that kind arranged between India and Burma, and also light duties between Burma and the United Kingdom. So far as I am aware the United Kingdom participation in this seems to have fallen out, and at present the agreed idea is to get free trade, which naturally exists at present so long as Burma is part of India, established over a period of some time; but the risk is that while India and Burma agree, Lancashire and everybody else will be left out in the cold, and have to pay the Indian tariff in respect of Burma. I cannot feel that that is right. I admit and understand, as I think most hon. Members will, that British firms who are operating or conducting industries in Burma and India, or both, should join hands to secure free trade for themselves in both countries, and they are not a bit keen on what happens either to Lancashire or any other industry in this country which exports its produce to Burma. What I feel, and I hope it is the feeling of both the Government and those Members who are interested in trade and desire the progress of trade in this country, is that there must be some limit; otherwise, what is the position? India will be not only allowed to continue her own tariffs, but by threatening Burma with duties on Burmese imports into India will force Burma to adopt a high tariff against British goods, because otherwise India denies Burma free trade.

It is really going too far for the United Kingdom to sit as a silent spectator of these negotiations and to play no part in determining what kind of tariff shall be established. It must be remembered that a country which defends and polices Burma has some claim to consideration. It is not a tyrannical thing to claim that the trade with this country, without which Burma would have collapsed between the pressure of China and India, should receive consideration. That was the original idea. It was what the Joint Select Committee thought would be the case, but it is not, I am told, the development that has taken place. I think that whatever may happen in the case of India, in the case of Burma no such agreement should be accepted by the Government here, merely because Indians and

Burmese, and British, too, who have commercial undertakings in India, have put their heads together and paid no heed whatever to the interests of the industries in this country. I conclude by putting before the Committee the appropriateness, the desirability, and the fairness and equity of holding that they should not be putting their heads together, and that they should not have an agreement with which His Majesty's Government is not concerned. On the other hand, His Majesty's Government should take part, and there should be a tripartite arrangement, - otherwise, if Burma and India agree to anything, however detrimental it may be to this country, as framed in these proposals the Government does not come into it at all. As it stands now, the Government decide if the parties do not agree among themselves, but if they agree the Government should intervene to see that equitable arrangements are come to between India and Burma and between Burma and the United Kingdom. I am afraid I have trespassed greatly on the time of the Committee and I simply beg to move the Amendment in my name.

The CHAIRMAN: To put the matter in order, the hon. Member does not move. The question is, "That the Clause stand part."

5.7 p.m.

Mr. MORGAN JONES: I think I may on behalf of all hon. Members assure the hon. Member who has just sat down that there was no need for him to have expressed apology for having engaged our attention for the time he did. If there is anyone in this House who has a right to speak with an intimate knowledge of India, it is the hon. Gentleman and we are grateful to him for having enlarged our knowledge by presenting us with that very interesting historical background to the subject on which we are now engaged. I do not say that I agree with the conclusions he has drawn, but that does not minimise my gratitude to him for his contribution to this debate. For our purpose we can confine our attention, so far as the historical background is concerned, to a comparatively few years.

It will be remembered that this question of the future Government of Burma became the subject of discussion at a special Round Table Conference some years ago, and at that conference discussion we of the Labour party were invited to be represented, just as other

political parties in the House were. We, in fact, were represented by my hon. Friend the Member for Aberdare (Mr. G. Hall) and Major Graham Pole. That Round Table Conference sat for some time and examined the subject, I have no doubt, very thoroughly. I have no personal knowledge of, nor intimate personal acquaintance with, any of their discussions, except in so far as they were presented to us in the report. I hope the hon. Member for Aberdare will later in the Debate participate in our discussions, because I am sure he will have something to tell us regarding his own impressions of the problem as they presented themselves to his mind. •

When the Round Table Conference had completed its labours, in due time the problem came before us at the Joint Select Committee. On that occasion I, as one humble Member of the Committee, had to apply myself to the problem of what was to be done in relation to the future of India and Burma. It is necessary for me, I am afraid, to invite the Committee to extend its toleration for a minute or two, because I confess that I speak with some little difficulty in this matter. I think it will be clear to the Committee before I have done. When the Round Table Conference concluded its labours, the members of the Committee will recollect that it was addressed by the Prime Minister, and in a fairly long statement to the delegates before they left this country, he used words which have subsequently assumed very great importance in connection with this controversy. I quote one or two passages from his address, because it is very relevant that we should have these in our minds. I want to be perfectly frank with the Committee and to say that I am now quoting for the purposes of this Debate the passages which are relied upon by one section of the Burmese delegates.

Earl WINTERTON: Would my hon. Friend say which Round Table Conference? It was not the Burma Round Table Conference, but the Third Round Table Conference.

Mr. JONES: The passage which is relied upon by one section of the delegates who actually appeared before the Joint Select Committee—

Mr. ISAAC FOOT: Was the statement made at the Third or the Burma Round Table Conference? •

Mr. JONES: The Burma Round Table Conference. I thought I had made that clear. If not, I apologise. The passage relied upon in this connection I take from the general memorandum prepared by U Chit Hlaing for submission to the Joint Select Committee. It is in paragraph 12 in the Record B.2 of the Volume of Records of the Joint Select Committee's Report:

"The chief points in the Prime Minister's Declaration were contained in these words:

'The first step is to ascertain whether the people of Burma endorse the provisional decision that separation should take place

The people of Burma will be in a position to decide whether or not they are in favour of separation from India. His Majesty's Government consider that the decision might best be taken after a general election at which the broad issue had been placed before the electorate. . . .

That decision will determine whether, on the one hand, Burma should be independent of India with a Constitution on the lines set forth above or, on the other hand, should remain a Province of India with the prospects indicated in the proceedings of the two Sessions of the Indian Round Table Conference—and in this connection it should be remembered that if an Indian Federation is established it cannot be on the basis that members can leave it as and when they choose.' "

I have taken the trouble to read that passage, because it is important, if we want to do justice to the two sides in this controversy, and I am sure we all do, that we should have in our minds the very pronouncement made by the Prime Minister which is relied upon by one side in this controversy. As I listened to this discussion in the Joint Select Committee, I am bound to say that, looking at it, out of relation to this pronouncement, I was driven to the conclusion, as my own conclusion in the matter on the merits of the case, that the case was overwhelmingly in favour of the separation of Burma from India. That was my own conclusion. The hon. Gentleman who has just addressed the Committee has called our attention to obvious differences which exist in the characteristics of the Burmese people and those of the Indian people. I need not traverse that ground again, because he has made it clear to us all that they differ in race, in religion, very largely, and there are other characteristics which as a race of people make them differ entirely from those who inhabit the mainland of India.

In expressing my individual judgment on the problem, I am bound to confess that my reaction was that there must be separation of Burma from India. If Burma still remained one of the Provinces attached to India and represented in the new Federal legislature at Delhi, I should feel that in practice the interests of Burma would tend very largely to be submerged by the interests of the other Provinces. It would be difficult for Burma to retain any effective contact between itself and its representatives some 1,200 miles away, I suppose, in Delhi. That is a long distance for the centre of government to be removed from the people. If my surmise be true that the tendency would be for Burmese affairs to be submerged by the affairs of other parts of India, the case is all the stronger for attention to Burmese matters to be concentrated within the confines of Burma itself, and so, for my part, I am quite convinced that the decision of the Joint Select Committee in favour of separating Burma from the rest of India is a sound decision and I must support it.

But I said there was a difficulty, and I will be perfectly frank, because there is no disgrace involved in making the point I am about to make. Some of my hon. Friends on this side are very much disturbed by the fact that this pledge was given by the Prime Minister. They say, truly, that our party takes its stand upon the broad principle of self-determination, and that that principle was embodied in and implied in the pledge given by the Prime Minister at the end of the Burma Round Table Conference. That pledge was given, and accordingly there was an election upon the point. The hon. Member opposite has told us of some of the incidents during that election. I gather that elections in Burma are not always conducted on lines of strict political honesty. I believe that elections elsewhere show similar characteristics. We are told that the issue was not stated quite clearly to the Burmese people. I have no details of the matter, but my impression is that this is an accurate statement of the position. While it is true that there was a strong body of anti-separationists, who presented the anti-separation case to the Burmese electorates, I have been driven to the

conclusion that it was presented somewhat in this way: We can vote for the preservation of our association with India, because we can elect to go out of the Federation if it pleases us so to do. If the issue of separation was presented in those terms—I say “if,” and I have nothing either way to point to in the matter—then it was not presented strictly in accordance even with the pledge which is cited by the anti-separationists themselves, because the last words of the Prime Minister’s pledge say:

“In this connection it should be remembered that if an Indian Federation is established it cannot be on the basis that members can leave it as and when they choose.”

That issue is vital. Those of us who were members of the Joint Select Committee—I think I am giving away no secret that I ought not to disclose—will know that we could not go far with the discussion of the principle of federation without arriving at a final conclusion upon this question of principle, namely, whether it should be open to a unit of the Federation, once in the Federation, to withdraw from it if and when it chose. If it were once agreed that a Province or a State, having gone into the Federation, could withdraw from it if and when it chose, that freedom must apply to them all. If Burma is allowed to enter the Federation and to withdraw from it five years hence, there is no reason why the same principle should not apply to every single unit in the Federation. If I remember rightly, we had to determine that issue quite early in the discussion, and I gave my vote in favour of the principle that once units had entered the Federation they should not be free to leave it if and when they chose. Having joined it they joined it, and there was an end of the matter. It must necessarily follow that if Burma elected to join the Federation it could not withdraw from it at some future time. If, therefore, it was represented to the Burmese people that they could withdraw after a lapse of time, the issue was represented to them on a basis that was impossible of realisation.

Major MILNER: Who represented it in that fashion?

Mr. JONES: I cannot say that Mr. So-and-so said it—that I cannot say; but

of this I am quite sure, that an impression was certainly given to me, not only in the Joint Select Committee, but in private discussions too, that it was so presented to the electors in Burma. I speak now subject to correction—my memory may fail me—but I do not remember that that was successfully controverted even by the anti-separationists themselves. That is my honest impression. If I have given a wrong impression I hope I may be corrected. I therefore take the view that it is possible that this vote against separation was given, so far as many electors are concerned, under the misconception that if they went into the Federation, they could get out of it when it suited them. On general grounds, and apart from that, I think it would be much better for the Burmese people to start on their own right away. I am convinced that they can build up a polity of their own much more successfully if they start now, at this appropriate line of demarkation, on their own lines and in accordance with their own ideas, than if they are tied to the chariot of India, if I may put it that way.

I have said that some of my hon. Friends take a different view from mine on this matter. It all arises from the fact, which cannot be denied, that the Prime Minister gave a very definite pledge, and some of my hon. Friends argue that in accordance with that pledge Burma has given its vote in favour of preserving contact with India by becoming a Province represented in the Central Legislature. I hope my hon. Friends will agree that the difference between us is not one that need give rise to any acrimony. It is a difference that is natural, it arises over the question whether we are acting in good faith towards the Burmese people in insisting upon separation having regard to the result of the election. For myself, I am profoundly convinced that the merits of the case are overwhelmingly in favour of separation here and now. I am sure that in the long run, and perhaps in the short run, it will prove to be beneficial to the Burmese people, and I hope that the Burmese people will feel that those who vote for the Government and in support of the decision of the Joint Select Committee are doing so in the confident belief that they are best serving the interests of the Burmese people.

5.27 p.m.

Sir S. HOARE: I am very glad that the Committee should engage in an important debate upon these great issues concerning one of the most attractive parts of the British Empire. It is all to the good that we should discuss this question this afternoon, and show to our friends in Burma that we have just as great an interest in both their present and their future as we have in that of the greater Indian sub-continent. There are two main reasons on the side of separation. First of all, there is the reason of Burmese sentiment. Hon. Members will recall that the Statutory Commission came very definitely to the view that the great weight of opinion in Burma was in favour of separation from India. The result of the earlier Round Table Conference was to confirm that view, and the Joint Select Committee further confirmed it. I am aware that circumstances arising between the Round Table Conference and the present time have led some people to doubt whether sentiment in Burma is still in favour of separation. I have made what inquiry I could make, and am convinced that there is still a strong feeling in favour of separation. It is true that after the Prime Minister's statement at the Round Table Conference an election was held in Burma which appeared to go against separation. My information about that election confirms the comments made upon it just now by the hon. Member for Caerphilly (Mr. Morgan Jones). The issue was very confused; the issue, as always happens in general elections everywhere, was sometimes misrepresented. A majority was returned to the Council as a result apparently against separation. The issue was then specifically put to the Council, but we could get no definite reply from the Council at all. The effect of the discussions show that even the anti-separationists, or anyhow, many of them, were in favour of separation, if they could get separation upon their own terms.

That view came out in the discussions of the Joint Select Committee. It was clear to me, and I think it was clear to my colleagues on the Joint Select Committee, that even the protagonists in the election who were against separation were yet in favour of separation if they could get separation upon what we regarded as impossible terms, the first term being that Burma would be a kind of in-

and-out member of the Federation; they could go out of it whenever they felt inclined. That was obviously an impossible position to accept with a permanent Federation, and it was unanimously turned down by every member of the Joint Select Committee. Secondly, the Burmans, those who tended towards anti-separationist views, made a demand that, if Burma did enter the Federation, Burma must be given preferential treatment both in the matter of finance and in the matter of the powers that were to be assigned to the Burmese unit. That contention again was rejected by every member of the Joint Select Committee. We felt it impossible that in any permanent Federation there should be this kind of preferential treatment for one particular unit.

It was therefore clear to the Joint Select Committee that even the anti-separationists were against a permanent union with India, and that the only difference, so far as we could judge, between the two parties was whether the conditions of Federation were to be, roughly speaking, the kind of conditions that we lay down in the Bill, or conditions of what we regarded as an impossible character. Let the Committee once and for all disabuse themselves of any idea that there is any breach of pledge, made either by the Prime Minister or by the Government, in accepting the separation position. The Prime Minister's pledge was quite specific. He said that there was to be an election and that we were to take a decision afterwards. We tried to take a decision after the election. We put the issue clearly before the Burma Council.

Major MILNER: The electors had decided.

Sir S. HOARE: My hon. and gallant Friend is really confusing two issues. The Prime Minister's pledge was quite specific. It was:

"The decision might best be taken after a general election at which the broad issue had been placed before the electorate."

My answer is that the broad issue was not placed clearly before the electorate, and secondly, whether the hon. and gallant Member opposite agrees with me or not—he cannot disagree with me, I think, on this—that the issue was put after the election to the Burma Council. We failed entirely to obtain an answer from them.

Major MILNER: The issue had been decided by the electors.

Sir S. HOARE: The hon. and gallant Member must develop his argument in his own way. I say that that was the position, and I challenge anybody to deny it. Let me turn to an equally important reason that seems to us to confirm us in the view that there must be separation. Here again, I think all my colleagues on the Joint Select Committee will agree with me when I say that. Suppose there were no separation, it would be almost impossible to fit Burma into the Indian polity. There you have a country, as we have heard in the very interesting speech from my hon. Friend the Member for the English Universities (Sir R. Craddock) and a former Governor of Burma, differing socially, economically and historically as well as from the points of view of religion and economic outlook, from India; a country so far distant and so definitely remote geographically that a sea voyage of between 700 and 800 miles is needed to get from Rangoon to Calcutta. It takes something like a week for Burman representatives on the Indian Assembly to get to that Assembly to attend its deliberations. It is sufficient to state those facts to show to the Committee how impossible it is to fit into a permanent Indian Federation a country that differs in every respect from India and is geographically so remote.

I said just now that there were great differences with India, but none the less there is the fact that Burma and India have, for 50 years, been governed as a single unit, and it is not to be wondered at that during those 50 years very strong bonds of union have grown up between the two countries. There has been the constant inflow into Burma, for instance, of Indian capital and Indian labour; on the other hand, Burma has found in India the great market for its products, rice, timber and oil. As a result of this economic connection, a state of affairs has been created that it would be disastrous to see destroyed, and even more disastrous to see destroyed in a short period of time. Many of us—here again I think I am speaking for practically every member of the Joint Select Committee—while we were in favour of separation, were none the less insistent that if there is to be separation every possible step must be taken to avoid a

sudden dislocation of those economic bonds that have grown up between India and Burma.

Accordingly, the Committee recommended that for an interim period, that is to say a short period of time, before the new Governments have become established, there shall be a temporary arrangement made to avoid the possibility of that dislocation. It was contemplated that this interim arrangement should cover, in the first place, Burma-Indian trade and, in the second place, the immigration of Indian labour into Burma. It was frankly to be an interim arrangement. We felt that it would not be proper permanently, or indeed for a long duration of time, to tie the hands of fiscally autonomous units, but we did feel that, both in the interests of India and of Burma, there was every advantage to be gained by the existing Governments making some kind of interim arrangement for those very important matters.

Since the Committee made their report, discussions have been going on in India between the two Governments, and I will now describe the result to the Committee. At first, the attempt was made to maintain the *status quo* between the two countries, with a certain latitude for revenue duties of a high character, to be imposed by one country, let us say, against the other, but when those Governments came to consider the topic, they came to the conclusion that, in the first place, those revenue duties were likely to be negligible from the point of view of revenue, and, secondly, that they were likely to interfere with the regular flow of trade between Burma and India. During the negotiations therefore the idea of revenue duties passed from the picture, and it then became a problem as to whether you could continue complete *status quo* between the two countries for this interim period.

The negotiators have come to the view that it is possible to continue this *status quo*, that is to say that Burmese exports, particularly rice, timber and oil, will be treated in India just as they are treated now, and, in the same way, Indian imports into Burma will be treated just as they are treated now. The present position with the negotiators is that they have reached a provisional agreement upon the basis of this *status quo*, and they suggest, as the period of time, a

[Sir S. Hoare.] period of five years. I should like to hear the views of this Committee upon the period of time. On the one hand, there is everything to be gained by avoiding dislocation of the economic relations between the two countries, and for as long a period as possible; on the other hand, there is the obvious disadvantage of tying the hands of the two future Governments, each of which is fiscally autonomous, for any substantial period of time. My own view is that it would be a mistake.

Earl WINTERTON: May I interrupt the right hon. Gentleman. It is merely on a point of detail. Is it to be five years from the coming into operation of the Constitution, or five years from now?

Sir S. HOARE: Five years from the coming into operation of the separation of Burma.

Sir BASIL PETO: Will the period be settled by agreement between the two Governments?

Sir S. HOARE: It will be a matter of mutual agreement between both parties. My own view would be that it would be a mistake to attempt to make this period too long, and I am also very definitely of opinion that it would be equally a mistake from the point of view of British trade to attempt during the interim period to obtain conditions which the two Governments are not willing of their own volition to contemplate. I have a feeling, myself, that if we try to intervene in an arrangement which would obviously be to the advantage of both Burma and India for this interim period—I am not now talking about any permanent arrangement for the future—the only effect would be to prejudice the future of British trade after the interim period. Moreover, if we attempted to obtain advantages outside India in the interim period, in Burma, Indian opinion would certainly react very adversely to an arrangement of that kind, and there would be a risk that what we might gain in Burma in the interim period might be permanently lost on a much greater scale in the Indian market in the future. My own advice, therefore, to the Committee would be that it is wise, for the interim period, to leave the two Governments to make the best arrangements they can both for Burma and for India, provided—

and I think it is a fair proviso to make—that in the arrangement British trade does not suffer as compared with the present position; and I would emphasise the fact that that has always been accepted in these discussions between the representatives of India and of Burma.

Mr. HAMMERSLEY: I am perfectly clear about the suggestion that there should be a customs union between India and Burma; but I am not quite clear, from what the right hon. Gentleman has said, whether he envisages a continuation of the present high Indian tariff rates in Burma as regards this country.

Sir S. HOARE: During the interim period that must be a matter between India and Burma. The whole basis of the interim period is a continuation of the status quo. If outside the field in which imports from the United Kingdom to Burma compete with Indian imports—if there is a field outside the field in which there is competition with India—then there will be a latitude for negotiation; but in the case of United Kingdom imports that compete with Indian imports, there we leave the position exactly where it is for the interim period; and I believe, myself, that, the more the Committee consider the problem, the more inevitable they will find it to be. As for the future, when the interim period comes to an end the British Government will of course be free to make whatever arrangements it can with the Burma Government, and it may then be that the economic tendencies of Burma as compared with India will emerge, and there will be wider opportunities for British trade in the Burma market. But I am sure, myself, that if there is to be an interim period which is to be accepted by India on the one hand and Burma on the other, it can only be on the basis of the status quo. If we try to introduce into it other considerations, all that will happen will be that there will be no interim agreement at all, that there will be a catastrophic dislocation of economic relations between India and Burma, and very serious reactions in the future upon British trade. As I have said, the agreement has not been ratified, and I myself have not had the final details of it. In any case it will have to come before the House in the form of an Order in Council under a later Clause of the Bill, and we can discuss it in detail when we come

to the Order in Council; but I thought that at this early stage it was well to put the position before the Committee, in order that they might see that we are trying to avoid, while going forward with separation, the risk of a dislocation of economic relations between the two countries. I have said nothing about the immigration side of the agreement. There again we have tried to tide over this interim period with an arrangement that would leave the immigration conditions from India into Burma substantially as they are now.

Mr. ISAAC FOOT: For the same period?

Sir S. HOARE: For the same period I come now to the final conclusions that I desire to put before the Committee. I would first of all repeat what I said at the beginning of my speech, namely, that I believe it to be impossible to include Burma in a permanent Indian federation. Secondly, I believe it to be impossible to impose upon Burma a system of government substantially different from the system that we are proposing for the provinces and the centre in India. Our pledges on that point are quite explicit. More than once we have made it clear that, if there is to be separation, Burma will not suffer as a result of the separation as compared with the Provinces and the Central Government of India. Thirdly, I believe that, try as we may, realising the difficulties as we may, taking into account all the considerations urged by my hon. Friend the Member for the English Universities, a constitution upon the lines we are proposing is really the only kind of constitution that is likely to work and likely to be accepted. During these years we have often considered the possibility of alternative constitutions, taking into account all the different characteristics of Burma, but we have come back to the conclusion that, looking at the political history of the last 20 years, and looking, again, at the present conditions of Burma, it is wise to make our advance in Burma on the general lines of the Indian Provinces and the Indian Central Government. I am afraid I have taken up a great deal of the time of the Committee, but I was particularly anxious to show to the Committee what we have been trying to do in order to avoid an economic dislocation, and to make it clear that, while

we are definitely in favour of separation, we wish to take no action that is going to endanger the economic relations between the two countries, or is going to endanger the large amount of British capital—I believe amounting to £40,000,000 or £50,000,000—that has been sunk in Burma, and that has been mainly instrumental in the past in making trade easy between the two countries.

5.51 p.m.

Major MILNER: As one who has endeavoured to take some little interest in the future of Burma, I am glad that at long last the Committee have come to discuss the subject of Burma. The principal question before the Committee is, of course, whether Burma should be separated from India, or whether, as at present, Burma should continue to be what in effect is a Province of India. It is a remarkable fact that my hon. Friend in front of me and the right hon. Gentleman have spent, with the exception of some few minutes which the right hon. Gentleman devoted to the subject of trade, the greater portion of the last hour in justifying the action of the Government in insisting—as I submit, against the wish of the Burmese people—on the separation of Burma from India; and I cannot help being reminded of the French proverb which, being translated, says that those who excuse themselves accuse themselves. While paying a tribute both to the right hon. Gentleman and to my hon. Friend in front of me for what I am sure is their perfect sincerity and good faith in this matter, I want briefly to examine some of the arguments which they have put forward in favour of separating Burma from India.

My hon. Friend in front of me had two principal arguments. One was that there was such an immense difference in religion, race and language between the Burmese and the population of India that for that reason alone it would be desirable that Burma should be separated from India. I assure him, and I am confident that the right hon. Gentleman will not contradict me in this, that there is no more difference between the Burmese and the Indian people than there is between certain different races in India itself. For example, there is no more difference between the Burmese and the Madrasi than there is between the Madrasi and the tribes on the North West Frontier.

Mr. KIRKPATRICK: Is it not a fact that anthropologically there is a clear-cut difference between Burma and India?

Major MILNER: The hon. Gentleman has his views, which, I recognise, have the force of authority, but I am submitting to the Committee, and I do not think the Under-Secretary will contradict me, that there are immense differences between the different races in India. Admittedly there is an immense difference, just as great as in Europe, and there is admittedly a similar difference between the Burmese and the Indians; but there is no greater difference between the Burmese and the Indians than there is between certain races in India and other races in India. That is the point that I wish to make. Similarly, there is as great a difference in religions in India itself as there is between the religions of Burma and the religions of India; and the same applies to languages also. I believe that the Report of the Statutory Commission stated that no fewer than 220 different vernacular languages were spoken in India, and I am sure the Committee will accept that as being true. But there is no more difference between Burma and India as regards language than there is between certain languages which are in use in India itself.

My hon. Friend's arguments, therefore, are only superficial; there is no real substance in them, particularly when one bears in mind the fact that the Burmese are to-day, and have been for years past, associated with the Indians, and that Burma to-day is in effect a Province of India, and indeed for years past has been sending its representatives to the Legislature at Delhi; and yet, to-day, my hon. Friend and the Government want to put an end to that state of affairs and to separate Burma from India. My hon. Friend also mentioned, as did the right hon. Gentleman, the question of distance. I have not an atlas by me, but I think that I shall be quite safe in saying to my hon. Friend that if he compares the distance between Delhi and Rangoon with the distance between Delhi and Travancore, the latter distance will be the greater. There is, therefore, no serious point in that—and I desire to be fair to my hon. Friend—except that in proceeding to and from Rangoon there is a sea voyage which takes something like 48 hours. But to-day the representatives of

Burma are sitting in the Assembly at Delhi, and, therefore, that again is not a good reason for insisting upon the separation of Burma from India.

My hon. Friend put forward another argument. He said that what convinced him that the case was overwhelmingly in favour of separation was that the Burmese, as he understood it, desired the right, if they joined the Federation, to leave the Federation more or less at their own sweet will. Therefore, I would remind my hon. Friend of what, I am quite sure, he has forgotten, that the Prime Minister, in the paragraph which my hon. Friend read, said, in December, 1932:

"the first step is to ascertain whether the people of Burma endorse the provisional decision that separation should take place."

But the Prime Minister went on to say:

"That decision will determine whether, on the one hand, Burma should be independent of India, with the constitution on the lines set forth above, or, on the other hand, should remain a Province of India, with the prospects indicated in the proceedings of the two sessions of the Indian Round Table Conference, and in this connection it should be remembered that if an Indian Federation is established"—

that is, if Burma comes into such a Federation—

"it cannot be on the basis that members can leave it as and when they choose."

That declaration was made prior to the election which took place, which is to say that the electors knew that if they voted in favour of going into the Federation they could not leave the Federation as and when they chose. Therefore, again my hon. Friend is quite wrong in his premises. That decision was taken on one issue, and one issue alone. The Prime Minister said that the people of Burma should decide, and I am here speaking for the right of the Burmese people to determine their own future. I say that, notwithstanding what my hon. Friend has said, the Burmese people have decided, at the election which was held after the Prime Minister's declaration, by an overwhelming majority, by no fewer than 500,000 against separation to 270,000 votes for separation, that they desire to remain associated with India. The Burmese people came to that decision knowing, by reason of what the Prime Minister said, that once in the Federation, always in the Federation.

Mr. ISAAC FOOT: Has the hon. and gallant Gentleman any reason to know—I know that he is acquainted with the matter—that the Prime Minister's stipulation was brought before the people at that election?

Major MILNER: I do not think that the right hon. Gentleman the Secretary of State would deny it. I think that there is no question that that election was decided on that one issue alone. I have not been to Burma, and I am not in a position to prove that, but I cannot think that that declaration, which was made at the Burma Round Table Conference when Burma delegates were present, was not brought fully to the attention of the Burmese people. At any rate, the right hon. Gentleman the Secretary of State can correct me if I am wrong, but I feel confident that that was so.

Mr. KIRKWOOD: According to the figures which the hon. and gallant Member has just quoted, under 1,000,000 people voted. He says that Burma has been consulted, but, if my information is correct, there are about 25,000,000 people in Burma alone.

Major MILNER: I am obliged to my hon. Friend. I believe that the population of Burma is in the region of 14,000,000, but I do not know exactly what proportion of the 14,000,000 have the vote.

Mr. BUTLER: Seventeen per cent.

Major MILNER: Seventeen per cent. have the vote and, therefore, I think that a vote of 770,000 in all is fairly representative of the population of Burma, or, at any rate, that proportion of the population who have the vote. That vote, I would remind my hon. Friend, who, I know, stands for self-determination, was two to one in favour of continuing association with India and against separation. According to my information, it can be described as a signal victory. Notwithstanding a good deal of misrepresentation by the separationists, and in spite of the fact that the separationists had official support, as they had before and have had since up to quite recent days when a vote was taken a month ago, from the officials in Burma for separation as against anti-separation, that they had a powerful press in favour of separation, the large funds which were used to further the separationists' cause,

and also the very natural feelings and aspirations on the part of many Burmese to have independence and so on—notwithstanding all these considerations, the vote went overwhelmingly in favour of the continuance of the association with India. One would have thought that the Government, having appealed through the Prime Minister to Caesar, would have accepted the decision of Caesar.

Sir S. HOARE: Caesar would not give a decision.

Major MILNER: In my submission, and according to the evidence given before the Joint Select Committee, that decision was given on that one issue alone. Having appealed to Caesar, as the right hon. Gentleman told us to-day, the Government did not accept that decision. They put the matter before the Council, but the pledge of the Prime Minister was not that the Government would accept the decision of the Council but the decision of the Burmese people as a whole.

Sir S. HOARE: No, it was not.

Major MILNER: I am sure that the right hon. Gentleman desires to be perfectly fair in this matter. This is what the Prime Minister said:

"The first step is to ascertain whether the people of Burma endorse the provisional decision that separation should take place."

The people of Burma did not endorse that decision and, therefore, the Government had the matter submitted to the Council and admittedly there has been a good deal of indecision. There have been many questions that were not clearly submitted to that Council, and I am sure that the right hon. Gentleman would not claim that that Council had decided in favour of separation or non-separation, because, in my submission, the people had so decided beforehand. The Government have, apparently in the eyes of that majority of the Burmese electors, decided to ignore their decision. According to my instructions a memorandum signed by no fewer than 44 elected members representing a majority of the Council was submitted to the right hon. Gentleman expressing their view against separation. So that, first, there was the decision of the people; secondly, there was the memorandum to the right hon. Gentleman

[Major Milner.]

signed by a majority of elected members; and, thirdly, there was the evidence of two Burmese representatives—I am afraid I cannot very satisfactorily pronounce their names—Dr. Ba Maw and another. Dr. Ba Maw, in reply to the Archbishop of Canterbury, when before the Joint Select Committee said:

“If our choice is limited to separation on the basis of the Prime Minister’s proposed Constitution and an entry into the Indian Federation on the same terms as the other Indian provinces, we unhesitatingly choose the federal alternative as being in keeping with the very clear mandate we had obtained from the country.”

There, again, that expresses the views of the Burmese people. There is another point, and I wonder why the right hon. Gentleman did not refer to it. It may be that he overlooked it. According to my information, this issue was placed before the Burmese Legislature on 21st February of this year. I wonder why the right hon. Gentleman did not refer to this vote. There was a special session of the Council, beginning on 14th February, and there was a proposal before it that Burma should remain as a Province in the new Indian Federation. I should like the Committee to mark this: The decision of the Burmese elected representatives was, by 37 votes to 31, in favour of remaining in the Indian Federation, but the Government threw in the official Members, the nominees of the British Government in Burma, with the result, of course, that that vote was reversed. There was finally a vote in favour of separation of 47 against 37. I believe that it must be clear to the Committee, that, first, by the vote of the people, secondly, by the memorandum to the Secretary of State, and thirdly, by the vote of the Burmese elected representatives on 21st February last, the people of Burma have decided that they desire to remain in the Federation.

I do not want to labour this matter further, but I wish to point out one or two disadvantages under which the Burmese will suffer if the Government insist upon carrying through the proposal in their Bill. The right hon. Gentleman, as did other speakers, said something with regard to the proposed trade agreement, and I think I am not misquoting the Joint Select Committee when I say that the matter of trade between the two countries was the greatest difficulty which

was in the minds of the Joint Select Committee in coming to a decision on this matter. The Joint Select Committee rather hesitatingly, I think I might say after reading that report, came to the decision to recommend separation on the understanding that there should be a trade agreement for a period of years to enable difficulties to be solved, no doubt, during the interim period, but the Burmese people want to know what is to happen at the expiration of that interim period, whether it be five years or any other period. Are they going to be left, with a powerful neighbour like India with whom they have been associated in free trade for a number of years, on the expiry of the period, in an unenviable position? What is their position to be?

Mr. RADFORD: Like what we have been.

Major MILNER: That may be. The hon. Member for Rusholme (Mr. Radford) is well able, I know, to speak for Lancashire. As a Yorkshireman I should not presume to do so. At the moment, I am representing what I believe to be the feelings of the Burmese people. They are naturally troubled, as the Joint Select Committee were troubled, in regard to trade between the two countries. It is possible against a great and near neighbour like India that Burma may find herself at the expiration of that agreement in a very difficult situation. On the other hand, if she were a member of the Indian Federation, she would have an added sense of security both in the economic and the political spheres.

What is Burma’s position going to be in regard to the League of Nations? At the present time Burma sends, or can send, her delegates to Geneva or elsewhere along with the Indian delegation. She is a Province of India just as the other Provinces are. What will be her position in regard to the League of Nations when she is separated from India? In my submission her status will be reduced. She will be a mere colony of the British Empire, and will only be entitled to be represented through the British delegation, and not be able to send her own representatives to Geneva as at present. Does the right hon. Gentleman propose to make any provision so that Burma shall have separate and independent representation at international and other conferences?

There is one point which I should like to bring before my hon. Friend the Member for Caerphilly (Mr. Morgan Jones)—I hope that he will change his mind—and other Members of our Party. We on this side of the House and the Indian people are not satisfied with what the Government of India Bill does for the Indian people. What is going to be the position of Burma? It is inconceivable that Burma, with a small population of 14,000,000, as a separate entity, can hope for success in her struggle for political and economic emancipation where India has failed. Burma is a small place while India is an immense sub-continent. The only hope of the Burmese people is to identify themselves with the struggle of the people of India towards that goal which inspires the people of both countries. I still hope that the Government may think fit to carry out what is unquestionably the expressed desire of the Burmese people that they should continue as part of the Indian Federation.

6.18 p.m.

Earl WINTERTON: I hope that the hon. Member for Caerphilly (Mr. Morgan Jones), with whom I have had some little dispute, will believe that I speak in all sincerity when I say that he made a most fair and impartial presentation of the case which arises on this Clause. He is in the same position as some of us on this side of the House in regard to other parts of the Bill, namely, that he is in disagreement with those who normally act with him.

Mr. MORGAN JONES: With some of them.

Earl WINTERTON: With some of those who normally act with him. With regard to the question of the separation of Burma, I am one of three present Members of this House who was a member of the Burma Round Table Conference. Whatever may be said about the extent to which some of us have spoken about India, no one can complain that members of the Burmese Round Table Conference have spoken over much on the Burmese question. I think the hon. Member for Caerphilly has made one speech, the hon. Member for Kidderminster (Sir J. Wardlaw-Milne) has made one and I have made one. The question of Burma is a vast one, and but for the

fact that we are considering a vaster question, that of India, it would require great discussion and consideration. On that I think we are all agreed. I should like to make a frank and personal confession in regard to the Burma Round Table Conference. At that time I was by no means convinced that the circumstances justified the pledge which was given on behalf of His Majesty's Government by the Prime Minister to the Conference.

There can be no doubt that the case of Burma presents features of far greater doubt as to the wisdom of a great extension of self-government than does India. Burma has been under British control and influence only for some 50 years. The country is in many respects far more backward than India, and there is little or no cohesion among Burmans themselves. Nevertheless, I came to the conclusion eventually that the course suggested by the Government was the right one, for reasons that I will give in a moment, but before I come to that matter which essentially arises on this Clause, namely, the form of the new government, I want to say a word about the question of separation. I fundamentally disagree with the last speaker, and I agree with the argument of the hon. Member for Caerphilly and the Secretary of State. Burma is ethnologically deeply separated from India. The differences of the Indian people which the hon. and gallant Member quoted, which were quite naturally and reasonably cheered by the hon. and gallant Member for Bournemouth (Sir H. Croft) and which exist in India between people from one end of the peninsula to the other, are not as great as the differences between the Burmans.

Sir H. CROFT: I was not agreeing with the hon. and gallant Member. I merely cheered because his statement showed the great differences of opinion that exist between the people of India, which I submit are as great as the differences of opinion between the people of Europe.

Earl WINTERTON: I think it would be difficult, without saying something that might appear to be wounding to the feelings of both Burmans and Indians, to explain what the differences are between them. The Burmans have some virtues which the Indians do not possess, and

[Earl Winterton.] they have some disadvantages of character which the Indians do not possess, and *vice versa*. Their whole outlook is different. I am convinced that the hon. Member for Caerphilly is right when he says that because of these ethnological differences the majority opinion among the people of Burma is in favour of separation from India. I do not say that the hon. and gallant Member for South-East Leeds (Major Milner) has not a fair presentation of a case that he was trying to make, in fact I think it was a fair presentation, but it was vitiated by the fact that he was speaking, and he claimed to speak, for one set of politicians in Burma. He used the words "I am instructed."

Major MILNER: No; I said that I was speaking for the Burmese people. That was the expression I used. I am not instructed by anyone, and I did not use the word "instructed," as the Noble Lord will discover when he reads the OFFICIAL REPORT. If I did use it, it was in error, and I hope the Noble Lord will accept that assurance.

Earl WINTERTON: Certainly. I am much obliged to the hon. and gallant Member. If he was not instructed, if he has not been in touch with any particular set of politicians in Burma, the fact remains that he was representing the point of view of a certain party in Burma. I want the Committee to realise, as the hon. Member for Caerphilly made clear, that the Burmese people are most deeply divided on this question. There is as much difference between them as there is between those of us who sit on these benches and hon. and right hon. Members opposite on general questions of British politics. You cannot talk about the people of Burma wanting this or that. You may say that the electors by a majority were in favour of a certain course, but no one can say that they are anything like united. There is a most deep division of opinion on this question. The hon. and gallant Member said—I am sorry to have to pursue the question in detail—that there had been misrepresentation on the part of the party in Burma which is in favour of separation. If he will read the accounts of the election, he will see that misrepresentations were not confined to one side. For example, one of the charges made

by the anti-separationists was, I believe, that it was intended by the British Government to bring the British unemployed to Burma in order that they might obtain work at the expense of the Burmans. There were other charges of that kind made by one side against the other. I think it is broadly true to say that the decision at that election did not represent the real views of Burmans as a whole. One thing should be remembered, and that is the very small electorate. The Shan States and other areas which were naturally interested in the matter had no opportunity of expressing their views. Perhaps the most important fact of all is that so disunited were the anti-separationists that after the election they found it impossible to form a government. They were utterly unable to agree among themselves and they could not even agree as to what the result of the election had been. I do not want to pursue the matter further, but I thought it necessary to correct the impression that the hon. and gallant Member gave to the Committee. I range myself on the side of the hon. Member for Caerphilly, who has given a more accurate description of what has occurred.

The economic and financial reasons for the separation of Burma are, I think, very substantial. I think that Burma—I know that this is a matter on which there is a great deal of controversy—has suffered in some respects from her connection with India because of the financial and fiscal policy of the Government of India. I think that is admitted by people who have lived in Burma, not by all of them, but certainly by Europeans. On that point I should like to make a reference to the very important announcement which my right hon. Friend has made with regard to the fiscal relationship between Burma and India. As I understand it, the present fiscal *status quo* is to remain for five years after the coming into operation of the Act and the coming into operation of the new Indian Constitution. My comments on the right hon. Gentleman's announcement, without the consideration which it is necessary to give to this all-important matter, would be, first, that it is very important that the period should not be made a year longer than five years. Again, I base myself on evidence given before the Joint Select Committee and the Burma Round Table Conference.

There are many respects in which, if the Burmese Government had a free hand to frame a tariff, they could assist both Burmese and British trade to a greater extent than they are able to do to-day. There is no doubt whatever, despite what interested parties say to the contrary, that there are great opportunities for an extension of British trade in Burma, and that there is a very considerable body of opinion among Burmans in favour of that extension, which need not necessarily be at the expense of India. That is not the opinion of those who are interested, as many Indians and some Europeans are, purely in Indo-Burmese trade. You will not get a man, whether he be a European or an Indian, whose livelihood depends on trade between India and Burma, to take an interest in trade between Burma and Great Britain or between Burma and other parts of the Empire. As one who sat both on the Joint Select Committee and on the Burma Round Table Conference I would ask the Committee to accept with reserve some of the opinions which have been given on these matters. There are a great many cross currents and cross opinions in regard to Burmese trade. There are certain big firms in Burma whose interests are one way, and there are smaller firms whose interests are another way, but, broadly speaking, the examination of the facts lead me to believe that, under a free fiscal system by which I mean a free hand fiscally for the Burmese Government there will be considerable opportunity for a big expansion of British-Burmese trade. One further word on the financial and economic position. I have said that in the past Burma has unquestionably suffered economically in some respects from her connection with India, and therefore I hope the interim period mentioned by my right hon. Friend will not be longer than five years. I was glad to hear the Secretary of State say that, as far as he was concerned, there would be an important proviso that British trade does not suffer from this interim arrangement.

I come again to the point about the status of Burma. When I was a member of the Round Table Conference my instincts would not differ widely from any Conservative in this respect. We have to examine carefully the possible alternative between Burma remaining a

part of India—which, for the reasons I have given would have been a wrong decision—or some status not so advanced as that proposed under the Bill. It seems rather, shall I say, a tall order, in view of the short connection of Burma with the British Empire and its rather unfortunate history in recent years, to give it the status which it obtains under the Bill. Only after long consideration did I come to the conclusion that it was necessary. I do not think at this time of day it would be politically possible to give Burma the status of a Crown colony. In the minds of the Burmans the words "Crown colony" connote a position of inferiority. It is unfortunate that it should be so. The constitutional conditions in Crown colonies differ widely. Some of the Crown colonies in the West Indies are in a position almost analogous to that of a Dominion in their constitutional freedom, while other Crown colonies in Africa are Crown colonies in the old-fashioned sense of the word. But in the opinion of the Burmans the status of a Crown colony would have been below that which they occupy as a province in the present government of India, and nothing would have got that out of their heads. You would not have got a single Burman at the Conference willing to accept for Burma under the new constitution the status of a Crown colony. I therefore came to the conclusion that, provided proper safeguards were put in, it was desirable to make Burma independent of India, and give her a constitution roughly analogous to that which it is proposed to grant.

I believe that there are great opportunities in the future for a closer working between Burma and this country. The Burmans are divided, like so many Eastern races, into different races. The term "Burman" is perhaps a generic term in its widest sense, but, generally speaking, I think there is considerable good will in Burma towards Great Britain. In some respects, I am sorry to have to make this rather odious comparison, but it is fair to make it, Burma is better off in its relationships with Great Britain than India because there is not the bitterness which in some quarters and provinces of India has been displayed towards Great Britain. That does not exist in Burma. There are, in my opinion, very good opportunities in

[Earl Winterton.]

the future for this most important part of the Empire becoming a flourishing State within the Empire, and I hope that the Committee will accept the principle of the Clause.

6.35 p.m.

Sir H. CROFT: I have listened to most of the speeches on this question, and I take note particularly of the fact that the hon. and gallant Member for South-East Leeds (Major Milner) described a condition of affairs in Burma which should cause us to think seriously before passing this chapter. The fact has been mentioned that after the election had taken place the legislators could not even form a Government, even after having received the great and overwhelming mandate of the electors, as it was described by the hon. and gallant Member for South-East Leeds. He said that the people of Burma voted on this great question, but I think that only 38 per cent. of them went to the poll, and even that was an increase on the numbers who voted in the previous election. You cannot call that an overwhelming vote on a great national issue, and even so I think it is very doubtful whether the full issues were understood by the Burmans. There were many of them who did not realise that the Prime Minister had made this great declaration and had suggested that the Burmese people should decide the question. Is it seriously suggested that a large proportion of the electors had ever heard of the Prime Minister of Great Britain? I ask whether that is not the case? It may be contrary to the opinion of many hon. Members, but I think it would be found that there are many people in Burma who really do not know much more about this country than the people in the villages of India. I associate myself with those hon. Members who have spoken in favour of the separation of Burma from India. What have the Burmans done that they should be brought into this Federation? It has been said that they are a lovable and amiable folk, although sometimes they have shown little differences. In fact, we are told that since democratic influences have spread themselves through this part of the world murder is rife and crime general and, therefore, I do not think we can claim that they have been exactly amiable and lovable people in days gone by.

Mr. KIRKWOOD: That must have been before we mixed with them.

Sir H. CROFT: The hon. Member is younger than I and, therefore, will not remember the time to which I am referring. What I feel—and in this I am expressing the opinion of many hon. Members—is that we are offering a constitution to Burma which from every point of view is undesirable at the present time. The Secretary of State has told us that in this great monumental measure we are considering, under which Burma is smuggled in in a corner—I had almost said smothered—we are engaged in a great experiment. Can anyone who has any political knowledge deny that the people of Burma are at least 50 or 100 years behind the people of India? Is not that the case? Why should we take this enormous leap in the dark? Actually under the Bill we are giving a greater measure of responsibility to the people of Burma, more complete self-government than we are to the people of India.

Sir S. HOARE: That is not accurate.

Sir H. CROFT: I think the Secretary of State will agree that Burma under the Bill has the full powers of a provincial government proposed for a province of India, and has a central form of government which is certainly greater than that which is going to apply to the average province in India. If you must go forward with the India Bill, why is it necessary immediately to go to this extent in regard to the constitution of Burma? Surely it would be wiser to see how the great experiment in India is going to work. We have heard that there is a possibility that the great reforms at the Centre are not to come into operation for some considerable time. In 1932 we were told that no Bill would be presented to Parliament until the Princes had given their consent. [*Interruption.*] I think the right hon. Member opposite may take that from me, at any rate, I think that the Secretary of State will take it from me—

Sir S. HOARE: No, I will not.

Sir H. CROFT: In that case I must read a quotation from the Debate of 27th June, 1932. The Secretary of State said:

"No one . . . can say that an All-India Federation Bill can be produced until we know in detail and for certain that the Indian States are going to be an effective part of the Federation."—[OFFICIAL REPORT, 27th June, 1932; col. 1495, Vol. 267.]

Sir S. HOARE: I explained that quotation a week or two ago, and I will therefore not trouble the Committee with a repetition. I will only refer the hon. and gallant Member to my explanation.

Sir H. CROFT: I did not hear the right hon. Gentleman's explanation, and I know that sometimes, two or three years afterwards, we have to change the exact phraseology of what appears in the OFFICIAL REPORT. I take it that those words do not mean what I took them to mean and that I must not accept them. I am sorry that I have been led away from the main subject of the Debate. From our discussions it is quite clear that it may take some considerable time before the full Measure is operative in India. Why then go on with this Burmese constitution until we know for certain that it is not going to be a failure in India, and why, above all else, should we not wait to see whether it is going to be a success? Let me say one word as to the pace at which we are going. I would ask the Committee in considering the constitution of Burma to make themselves conversant with the real facts in Ceylon under State government. Everyone must agree that the cases are similar. Perhaps Ceylon is a little nearer to Western civilisation than Burma, but in other respects as regards population they are much alike. The Cingalese—the population of Ceylon includes Cingalese and Tamils, and may be described as Cingalese—are Buddhists, of the same religion as the people of Burma. I do not think it is wrong to suggest that the conditions in these two countries are similar.

We rushed through a constitution for Ceylon without discussion in this House, and it has been my business to read every debate that has occurred in the last three years. I take an interest in the affairs of that once prosperous Crown Colony, and I humbly suggest that we should realise what it has meant, what has been the result in Ceylon. For two days there was a debate on the villanies of the State Council of Ceylon. The position there is comparable with that in Burma. The people of the two countries are of the

same religion and of about the same advancement in education and ideas. We have seen that Ceylon has not gone forward; it has gone back. It has recently been swept by a terrible disease, and white doctors have been largely withdrawn. The "Observer" of last Sunday said that Ceylon was becoming a second Chicago, a Chicago of the East, on account of the terrible increase of crime.

Earl WINTERTON: Really, if my hon. and gallant Friend is going into the question of Ceylon, and ventilating charges against the Ceylonese, I shall have to ask the Chair whether there will be an opportunity to answer those charges.

Sir H. CROFT: I was merely quoting what appeared in the "Observer" in one of those magnificent articles written by a gentleman whom I should have thought the Noble Lord supported.

Earl WINTERTON: I must raise a point of Order. Is it in order to discuss the Ceylon Constitution on this Clause, and, if so, shall we be permitted to give an answer to the charge that has been made?

The DEPUTY-CHAIRMAN (Captain Bourne): It is obvious that we cannot discuss Ceylon on this Clause, if for no other reason than that the Secretary of State for India is not responsible for Ceylon. It is only by way of analogy that reference may be made to another part of the Empire. The Debate must be kept to the question whether Burma should be kept separate from India.

Mr. KIRKWOOD: On that point of Order. The hon. and gallant Member for Bournemouth (Sir H. Croft) raised the question of Ceylon, and by implication stated that the Government of Ceylon is responsible for the terrible conditions that prevail in the island. He also by implication drew attention to the fact that Ceylon got self-government from the Labour party. All that has been said time after time on the Floor of the House has been complimenting the Labour party for introducing Home Rule into Ceylon.

Sir H. CROFT: I apologise for referring to Ceylon at all. I did so only because of its similarity to Burma in religion and so forth, and I was merely quoting an article from the "Observer." I would not on any account prevent the Members of the Socialist party receiving

[Sir H. Croft.]

congratulations on their granting of self-government to Ceylon. I come to the only other question with which I wish to deal, and that is the attitude with regard to British Imperial Trade. I have searched every part of the Bill for some indication that the British race is still determined to keep the great trade which has been built up overseas. In this chapter I can find nothing except the same old defeatist outlook—the statement that the people of Burma must not be allowed to discriminate against British goods or to penalise British trade. It was not that spirit with which the Empire was won. I know the difficulties of the Secretary of State. He says that the fortunes of India and Burma are very largely interdependent. We know that. He also said that we must not try to intervene in this interim period in the interests of British trade.

Sir S. HOARE: There were other words I used which have not been quoted.

Sir H. CROFT: The statement was that we must not try to intervene in this interim period in the interests of British trade, because that might ultimately react not only against Burma but against our own country. I think that that is a fair description of my right hon. Friend's statement.

Sir S. HOARE: Yes, as long as the second part is taken in connection with the first part. When I said that I was looking at the wide interests of British trade, and taking as keen an interest in it as my hon. and gallant Friend or any other Member. I was under the impression that British trade might be embarrassed by unwise action connected with the interim period, and might be used permanently in the future.

Sir H. CROFT: The interim period may be five years. During those five years, or whatever the period may be, you are standing aside. My right hon. Friend said also that his advice for the interim period was to leave the two countries to make the best arrangement. We all understand that it is desirable for the two countries to make some reciprocal arrangement, but this country should also come into it, and it should be a tripartite arrangement, the advantages of which should be extended to this country. Since the War, in country after country we

have been moving out, without any attempt to ensure the future of British trade and of British workers. Burma is not an unimportant country or a little country. It is a country of 230,000 square miles and with a population of 13,000,000. I have not the figures with me, but is not that twice the population of Australia? In Burma there is a vast area not yet developed. Three-fifths of the country is still jungle and forests. There are 2,000 miles of railway and 2,000 miles of metalled roads. That is where we ought to be turning our energies, the "New Deal." Take your millions to Burma, instead of saying that we leave it to India and Burma to decide about trade, while 2,000,000 people are walking the streets of this country.

I urge the Government to reconsider the whole trade outlook of this Bill, and especially in relation to Burma. There you have no fiscal convention to stand in your way. In framing this new Constitution, as long as we are still providing for the defence of the country, which cannot defend itself, we have a right to demand that we shall have some entry into that country on prior grounds to other countries which are not giving those services. That is the point I emphasise. The Government are going far too fast in this Measure. I agree that it is wise to keep Burma out of the Federation of India, but I cannot understand why the Government are smuggling through this great advance in self-government for the people of Burma, and I hope that they will reconsider the position. Instead of going so far ahead they should see that the British trader, the British shipper and the British commercial undertaking have a preferential entry into that country.

6.55 p.m.

Mr. ISAAC FOOT: No one wishes to surrender the rights of this country in relation to trade, but the question is how best that trade can be secured. The hon. and gallant Member for Bournemouth (Sir H. Croft) says that demands should be made. Perhaps he will tell us later how those demands in relation to trade are to be enforced if there is resentment against us. If resentment grows up and you have people in Burma who think they have been wrongfully treated and do not want to trade with this country, the Committee would be helped if we

could be told how in the course of five years or 10 years the Burmese people can be compelled to trade with us if they have no wish to do so. If there is no machinery for that I do not know why we should insist on demands. The best way to get the trade is to ensure a desire to trade with us. I am certain that the best way to defeat trade is to incur resentment and, if there is a demand on the part of these people for a certain measure of self-government, to resist that demand. That is not the way to encourage trade between ourselves and Burma. Later* it would help us if we could be told how a demand can be enforced.

Sir H. CROFT: I think the hon. Member is quite wrong. I have not heard that there is any hostility to British trade in Burma. I think the feeling is the other way round. I am not arguing for any advantage to us, but that the Burmese, the Indians and ourselves should all give advantages to each other.

Mr. FOOT: I hope it will be done, but there is a lot of difference between that suggestion and the demand of which the hon. and gallant Member spoke just now, a demand which he intended to be a statutory demand. There is all the difference in the world between a statutory demand, which must have penalties attached to it, and the arrangement of which he has just spoken. By all means let there be that arrangement, based on good will and a common desire for trade. But the subject of trade can be dealt with better by other Members who are more conversant with the subject.

I think that the attitude of my friends on these benches should be declared in relation to this important part of the Bill. Also I have had an opportunity of serving, with the Noble Lord the Member for Horsham (Earl Winterton) as a colleague, upon the Burma Round Table Conferences in the years 1931 and 1932, and I had the opportunity on the Joint Select Committee of considering the further relation of this matter, when we had the advantage for many weeks of the direct representation of those who came thousands of miles from Burma to assist us. I am as conscious as others must have been of the complete difference of atmosphere when we were meeting our Burmese colleagues and when we were meeting the Indian delegates. Nothing would indicate more the marked

differences between the two countries than the method by which our debates were carried on. At the Round Table Conference in relation to India and that in relation to Burma the debates were in a wholly different atmosphere, and the method of approach was very largely characteristic of the difference.

It would be a pity if those in Burma were left to think that their country was being dealt with parenthetically in relation to this Bill. It is true that we have to deal with Burma at the same time as India. Yet if India were not being discussed now we should regard this Burma proposal as a first class Measure. Burma has a population very much larger than that of Ireland, and our relations with Ireland were a dominating factor in our politics for many years. We are dealing with a country that has very great potentialities. Whatever may be the differences of opinion in this House, all of us are very anxious that this new Constitution may lead to a very prosperous chapter in Burma's history. The Noble Lord spoke of the difficulties that there are in Burma. It is true that Burma has difficulties which are not found in India, but fortunately Burma is free from some of the difficulties that have affected Indian life. The sharp communal divergence which overshadows every part of the Indian controversy has practically no place in Burma. How light our burdens would have been, if, in dealing with India, the communal differences could have been lifted out of the conferences. That communal difference does not exist in Burma except to a negligible extent. There is a less keen political outlook in Burma, which may be some advantage in considering Burmese questions.

I want to deal only with the point raised by some of my hon. Friends on the other side. My hon. and gallant Friend the Member for South-East Leeds (Major Milner) says he is satisfied there is no demand for separation in Burma. As far as I could see back in 1931 and 1932, from conversations with those who came to represent Burma at that time, there was an overwhelming desire for separation. That was the impression I then got. I think when the election to which reference has been made was held the issues were very confused. I was very impressed when I heard the result of the election, but I think that if the hon. and gallant Member for South-East

[Mr. Foot.]

Leeds had had the opportunity given to us, and had been brought face to face with those who had been returned on the anti-separation ticket, and had had the opportunity of putting direct questions and answers, he would have satisfied himself that the plea of anti-separation was not surely grounded. Whatever the figures and conditions of that election, I believe that if the Members of the House had had the opportunity of meeting the delegates and questioning them on what had happened at the election, they would have come to the conclusion to which everyone on the Joint Select Committee came in this matter. I would refer anybody still in doubt on this point to paragraph 421 of the Report of the Joint Select Committee, which states:

"We have satisfied ourselves by discussion with the delegates from Burma representing the anti-separationist parties that they have no real desire to see Burma included in an Indian Federation; and indeed they frankly admit that on their own terms they would unhesitatingly prefer separation."

The whole matter is dealt with there at some length. I am sure Members of this Committee are in some difficulty in this matter because they were denied the opportunity given to others. Those on the Joint Select Committee were unanimous in coming to the conclusion that there was a general desire in Burma for separation. I believe that if the hon. and gallant Member for South-East Leeds had had the opportunity given to his colleague, the hon. Member for Caerphilly (Mr. Morgan Jones), it would be different, for it is very difficult to decide this matter on written communications from those who are keen propagandists in Burma. It was not as if we gave this matter only a few hours consideration: we gave day after day for a period of two or three weeks with very able representatives of different opinions in Burma, and the conclusion at which we arrived is one which is borne out by the hon. Members for Broxtowe (Mr. Cocks), Caerphilly, and Lamehouse (Mr. Attlee), the opinion of the last-named being reinforced from his experience with the Statutory Commission, which a few years ago stated that as far as they could ascertain there was an overwhelming desire on the part of the Burmese people for separation.

Major MILNER: Was not that the reason why the Prime Minister offered to take the decision of the Burmese people, because he believed the Statutory Commission and the Governor of Burma that the Burmese would be in favour of separation? In fact, they were not in favour of separation, and hence the action since?

Mr. FOOT: Before the hon. and gallant Member returned to the Committee I dealt with the question of the election and the information we had in connection with it. From inquiries and questions that I put to the leaders of the anti-separation movement, this was the presentment of a case as much as a plebiscite, for when the express question was put people were asked whether they would prefer to be separated or to go into the Indian Federation with no opportunity of coming out when they wished. The answers then given at least satisfied my mind on this very difficult question. We can only arrive at a conclusion on the evidence before us. Before the hon. and gallant Member came in I pointed out that if he had had that opportunity of personal contact with those qualified to speak he would not have dissented from this proposal.

May I say, further, that we have listened with some interest to what was said by the Secretary of State in relation to the proposed five-year agreement. He asked for the opinion of the House on this matter. I would like to point out that the association of India and Burma, in the first place, was only an accident. In taking away Burma from India it would not be like separating Bengal or Madras from India, for between Madras and the rest of India there is an association running over thousands of years. There is no such history behind the association of Burma and India, for it is an association with no past of history, but a past of accident, a result of war, and certainly not based on religion. I should have thought that between the religious philosophy of Burma and the great majority in India there was no community of thought whatever. I should have thought that if there were any kinship, any blood relationship in religious life, it would have been between Burma and the Eastern parts of Asia, for example, China. The greatest tie in life is religion. The Holy Roman Empire was

based on religion. If there were a close religious tie between Burma and India it would be different, but geographically and politically the association is the result of accident, war and conquest, and has no religious sanction. I can hardly see how the hon. Member could press his case in view of the unanimous conclusion of the Statutory Commission and the Joint Select Committee that went into the matter so closely.

I was speaking of the five-year term which has been mentioned. I have not had the opportunity of thinking over this five-year proposal, but there ought to be some interval for thinking things out. It would be a great difficulty if we decided on trade matters in a moment of high political emotion, when political questions are being discussed. Let there be a gracious interval, during which these trade questions and permanent issues can be thought out more clearly. It may be thought that five years is the best time. I hope that between the two countries there may be something like free trade. If there should arise between Burma and India in years to come differences, they would find expression in tariffs. It may be that at the end of five years they will still be able to maintain that free entry which is to the advantage of both countries, but that will be for them to decide—they will have five years to think it over. There are also financial questions to be settled between one country and the other. All these questions can best be dealt with in an atmosphere of peace.

Generally speaking, India does not resent the separation of Burma. I do not think there is any strong expression of feeling in India against separation. That being so, I think this House can do no other than adopt the unanimous recommendation of the Joint Select Committee. I have confined myself to the broad issues. I know questions of detail will arise later, but I think that the course recommended in the Bill and in this chapter which we are asked to reject is the only course possible from the inquiries that have been made, and, whatever may be the differences in this House, we shall all agree in hoping that when this Constitution is given to the Burmese people—lighthearted, good hearted people—that between them and ourselves there will be the happiest of

relations for generations and centuries to come.

7.13 p.m.

Sir ROBERT HORNE: I intervene only because certain general questions have been raised. I assume that when questions of detail are raised, the Committee will have opportunities to discuss those matters. I do not wish to say much with regard to the question of the separation of Burma from India. I have not the particular knowledge that two of the speakers have gained in close contact with Burmese representatives dealing with this constitutional matter. On the other hand, for many years I have had interests in Burma and paid visits to that country, so that I can claim some knowledge of it. No one who knows Burma can speak of the political opinion of Burma at any point of time, because, indeed, that opinion changes. When I went to Burma first the whole of the population, both native and European, were of the opinion that Burma should be separated from India. They had good reason for that, for they regarded themselves as over-taxed, as paying far greater contributions to Indian needs than they could get back on their own expenditure. Opinion at that time was unanimous as far as I could discover. Later, European opinion—by which I mean the opinion of those commercial people who carry on large businesses in Burma—shifted a good deal. They felt that Burma was based upon too narrow an economy to support the full expenditure which a separate Burma would require. They saw that certain industries were going down; they saw the teak forests being to some extent denuded; they realised that the possible development of the country was not being achieved as fast as had been anticipated, and they began to wonder whether separation would be to the advantage of Burma. On the other hand, as far as I could gather, native opinion remained in favour of separation and I believe that native opinion to-day is in favour of separation.

The hon. and gallant Member for South-East Leeds (Major Milner) referred—quite properly—to an election which ended in an anti-separation vote, but the representatives who were elected on that occasion were so frightened by the result at which the community seemed to have

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arrived that they did not feel any confidence in putting it into operation. Indeed, they ran away from the supposed decision of the electorate. The question was discussed backwards and forwards among the representatives who had been elected, each of them trying to take refuge behind the opinion of somebody else, but it became apparent that native politicians in Burma were not prepared to assert dogmatically that they were in favour of an anti-separation policy. On the contrary, it appeared to persons like myself who were interested in the country and were watching these various movements, that what the Burmese really had voted for was an opportunity to remain in the Federation until such time as they could command terms more favourable than those which were then being granted to them.

I have no doubt as to the decision at which we ought to arrive on this question. I think that in the midst of all these variations in popular opinion and all these fears one comes back to the primordial question of race. As has been said, it was only an accident that ever brought Burma into union with India. Lord Randolph Churchill when he was Secretary of State for India having got this baby placed in his arms did not know on whose doorstep to leave it. He chose to make India the nursing mother of this new estate which he had acquired. Since then there have grown up relationships between the two countries which have to be taken into consideration to-day and that brings me at once to the question: What ought to be done with regard to the future economic relations of the two countries? I cannot agree with everything that has been said by my hon. and gallant Friend the Member for Bournemouth (Sir H. Croft) but everybody in the Committee knows by this time that in fiscal matters and on questions of British trade, my views and his are very closely allied and I certainly agree that we ought to take every opportunity of getting British trade in any part of the world and particularly in those parts of the world over which we have a certain control.

I also agree with the Noble Lord the Member for Horsham (Earl Winterton) that there are opportunities for increasing British trade with Burma, though I am not sure that at this particular

time I am as optimistic as he indicated himself to be in that respect. In any case, we ought to do everything in our power to make arrangements for British trade with Burma under special entry, but we must realise the condition of things which has grown up so to speak under our umbrella. We have reinforced the trade of India and Burma together. We have made Burma dependent economically upon India. On the other hand, we have induced large numbers of the population of India to go to Burma to do work there which the Burmese themselves were unwilling or at all events not very ready to do. A corporation of which I am chairman has large numbers of Indians working in Burma. They come from the most distant parts of India. We have Gurkhas working in the shops, we have Sikhs—who appear always to be the best engineers one can get among the native races—and we have a large number of Hindus working far up in the North of Burma. It would probably startle the Committee to know the extraordinary amount of the contributions which they send back through our post office from their savings in order to succour their relatives in India. You have not only this intermixture of the inhabitants of the two realms but you have also the fact that 80 per cent. of the rice grown in Burma goes to India and that a very large quantity of the oil extracted in Burma is sold in India under special terms.

In that way there is a dependence of Burma upon India which we ought not to interfere with lightly. Before any action is taken there ought to be serious consideration. These two peoples ought to be given time in which to turn round and make such arrangements as may be mutually beneficial to them. If we are anxious to encourage British trade in Burma or in India or in both, I cannot imagine our taking any action which would, for example, weaken Burmese purchasing power. What would be the advantage of getting good terms of entry for British goods if the people were unable to buy the goods. I may say that as far as the corporation with which I am connected is concerned, this is not a material consideration to us. We do a far larger trade in what we produce in Burma, outside of India than we do in India. The Indian part of the trade is infinitesimal as compared with what we

sell outside, and, therefore, I hope the Committee will realise that I am not putting forward any prejudice point of view. I am arguing entirely on behalf of Burma, a country for which everybody who has visited it has a certain affection and for the welfare of whose people I have the greatest possible desire.

From that point of view I would strongly urge the necessity for taking time before we decide on what the ultimate economic relations between Burma and India are to be. I would not break off the existing relation if we can avoid doing so. I would assent to the suggestion which the Secretary of State has—I think, wisely—made that there should be a period of time during which the present relations would continue until satisfactory new arrangements had been made. At the same time I agree with the hon. and gallant Member for Bournemouth that we ought to try to make the best arrangements we can for our own country as well. In the interval we must not disrupt the existing trading relations between India and Burma if we want to do our best for Burma. That, generally speaking, is my opinion. Whether the term should be five years or not is a point upon which I hesitate to pronounce. Apparently the Noble Lord the Member for Horsham regarded it as an extreme period. Possibly it might be less. Possibly something might be done in a shorter time. But an adequate period must be provided and in all the circumstances I think that five years is not too much. Those are the views which I would place before the Committee as one who knows a little about conditions in Burma and is anxious for the future prosperity of that country.

7.25 p.m.

Mr. GEORGE HALL: I do not propose to follow the right hon. Gentleman the Member for Hillhead (Sir R. Horne) in dealing with the trading position in Burma but as one who spent a short time in the Burma Round Table Conference I may be permitted to take up some of the time of the Committee in dealing with the general question. I regret that as a result of domestic difficulties, chiefly illness, I was prevented from taking that amount of interest in this question which I should otherwise have taken at the time of the Round Table Conference and I feel pleased that this opportunity has arisen

of debating it. Previous speakers have referred to the importance of Burma and I need only say that I share the views expressed by them on that point. I have heard it said too that Burma is not divided as India is, by race, caste, religion or national feeling and I think it is accepted that there is a higher percentage of literacy in Burma than in India. That was pointed out by the hon. Member for the English Universities (Sir R. Craddock) in a very interesting speech. At the sittings of the Burma Round Table Conference I gained a very clear impression of the desire of the people of Burma in this matter, and, as a result of all the evidence put before us, from the various points of view of race, caste, geographical position and economic conditions I felt that Burma would be better separated from India. But I think that more attention ought to be paid to the definite pledge given by the Prime Minister to the Conference in December, 1931. I listened carefully to the Secretary of State to-day and he has not convinced me that the great bulk of opinion in Burma is in agreement with the proposals of the Bill. The pledge which has already been mentioned by my hon. and gallant Friend the Member for South-East Leeds (Major Milner) is specific. The Prime Minister said:

“The first step is to ascertain whether the people of Burma endorse the provisional decision that separation should take place. His Majesty's Government consider that the decision might best be taken after a general election at which the broad issues have been placed before the electorate.”

The election took place and a very large majority of the electorate voted against separation from India. It is no use the right hon. and learned Member for Hillhead or even the Secretary of State saying that these persons who were elected upon this mandate have refused to put their mandate into operation, or have been afraid to do so. What is the risk? There was a constitution which had been worked out by the Round Table Conference, after months of consideration, a constitution which differed very little from the proposals contained in this Bill. There was no greater risk at that time, in 1932, than there is at the present time in giving this amount of self-determination or self-government to Burma. As a matter of fact, I am not so sure that the increase in the

[Mr. Hall.]

electorate under the proposals varies very much. I do not think they were quite as generous as they are under this Bill, because at the time of the election in 1932 only some 17 per cent. of the population of Burma were entitled to vote, while under the proposals of this Bill something like 23 per cent. will be entitled to vote. The hon. Member for the English Universities, who served with a good deal of credit to this nation as Governor of Burma, admitted that 71 per cent. of the male population of Burma can read the Burmese language and that a very large proportion of the female population of Burma can also read.

I am not one of those who think that only on special occasions can an electorate be gulled to vote for something quite different from what they are expected to vote for. I rather expected the right hon. Gentleman the Secretary of State to give some information to the Committee as to whether any representation has been made to him, as Secretary of State, since the election in 1932 as to what is the real desire of the people of Burma upon this matter. Has he endeavoured to obtain the will of the people of Burma, or is it that the representatives of the Burmese people, when they came to the Joint Select Committee, and his own official the Governor of Burma convinced him that separation was the most desirable thing for Burma? I do not know that we can question the political knowledge of the people of Burma at this time. I was very interested in what was said by the hon. Member for the English Universities that in Burma government was regarded as one of the five calamities. He played a very influential part in the Government while he was there, and it may be that it was because of the type of Government which they had at that time that government was regarded from that point of view. We are very anxious to change that, and that the people of Burma should have that confidence in their Government which all people in a democratic country should really have.

Sir R. HORNE: I can assert that there was great confidence in my hon. Friend the Member for the English Universities (Sir R. Craddock).

Mr. HALL: I thought that confidence was shared by most of the people, but I was quoting the words which the hon. Member himself used. I did not know that the people of Burma felt it a calamity to have the hon. Gentleman there until I heard it from the hon. Gentleman himself. As far as I can see, the visible evidence that we have had as to the desires of the people of Burma is that they should not separate from India but should remain a part of India. I was hoping that we should have had some further evidence from the Secretary of State. After all, we did meet half a dozen or so of the Burmese who sat on the Round Table Conference, and the impression I had from those with whom I came in contact was that they desired separation.

Mr. ISAAC FOOT: Were there any among the Burmese who were opposed to it?

Mr. HALL: Yes, I think there were. There was a definite pledge given to them. It was a constitution which was worked out by the Burmese Round Table Conference, and they could have that or continue as a Province of India. My hon. Friend will not deny that there was the definite pledge and that upon that pledge the people of Burma voted. There is no doubt about the decision of the people of Burma—anti-separationists, 42; separationists, 29; and neutrals, 9. The figures of the actual electors were: anti-separationists, over 500,000; separationists, 270,000; or a majority of almost two to one against separation. As I say, there you have this visible evidence of the desires of the people of Burma. I am not suggesting that it is impossible, as the right hon. Gentleman said, to fit Burma into the politics of India because they differ so fundamentally and historically. Is it not a fact that for 50 years the Burmese have been very largely under Indian rule? They have been part of the Indian Empire, they have had their own Legislature, and they have sent representatives to the Indian Council of State and Legislative Council. It can truly be said that for about half a century Burma has been part and parcel of the Indian Empire, and so much so that the right hon. and learned Member for Hillhead, following what was said by the Secretary of State himself, admitted that we have made Burma economically dependent

upon India. The right hon. and learned Gentleman also expressed very great concern that nothing should be done which would in any way interfere with the great trading interests between Burma and India. I think no better evidence can be given of the way that nations can ally themselves together than the evidence which the right hon. and learned Gentleman himself frankly admitted as to the interests that have grown up between the peoples of Burma and of India. I wonder how far it is true that it was the fact that there are between £40,000,000 and £50,000,000 of British capital invested in India that really prompted the Government to reverse the decision of the Burmese people.

Sir S. HOARE: The people with capital in Burma are most anxious about separation—not so much about separation as about the danger of great dislocation between the economic interests of both sides.

Mr. HALL: I think the will of the people of Burma ought to be carried out and that they should act in the closest co-operation with India and this country. I have come to a definite conclusion concerning the desire of those representatives of Burma whom I met at the Round Table Conference with regard to the separation of Burma from India, and I have since been somewhat convinced with regard to the desire of the people. I think the people of this nation and of the Empire desire to cultivate the best relationships between ourselves and the people of Burma, and you will not get that good will from these people if you foist upon them a constitution or a policy which, as far as we have been able to see up till the present time, they do not desire to have. I should have thought that from 1932 till the present time the India Office, if they were not satisfied with the decision of the election which took place during that year, would have taken some steps—that is not impossible—to ascertain the desires of the people of Burma.

Whatever may be the desires of trading interests as to the economic position between ourselves and Burma, if we are going to get the best out of Burma we must satisfy ourselves that, as far as it is humanly possible, we are giving the Burmese people something which they desire. The choice was to be theirs. In 1931, four years ago, a specific pledge was

given by the Prime Minister of this country, who said, "It is for you to decide." An election was fought—I will not deal with the issues which arose during that election—and a majority of two to one was against separation; and, as far as I can see, that is the attitude of the people of Burma at the present time. I am not quarrelling to any great extent with the view put forward by those who sat on the Joint Select Committee. They again, after the election, came into contact with certain Burmese representatives and came to their conclusion, quite sincerely, as I came to the conclusion in 1931, but notwithstanding the fact that my colleagues who served on the Joint Select Committee came to that conclusion, I feel that something more should have been done to ascertain the views of the people of Burma, especially as a good deal of discussion has taken place concerning the clouded issues which were put before them in the election of 1932. I shall, with my colleague the hon. and gallant Member for South-East Leeds (Major Milner), have no hesitation in going into the Lobby against this Clause.

7.43 p.m.

Mr. HAMMERSLEY: I have listened to all of the speeches in this Debate, and I shall not traverse the main political grounds which have been so eloquently dealt with already. It is not my intention to discuss at any length the arguments for and against separation. The statement of His Majesty's Government has been referred to on more than one occasion—the statement made through the mouth of the Prime Minister at the Burma Round Table Conference to the effect that when the Government was satisfied that the desire of the people of Burma was for self-government, then the Government would take steps to entrust the responsibility for the Government of Burma to a Legislature responsible to the people of Burma, and to a Ministry responsible to that Legislature, subject to certain safeguards.

To-day we are implementing that promise. I accept that the Government is right on the merits of the question in coming to the conclusion that the separation of Burma is in fact the wish of the people of Burma, but my purpose is not to discuss that matter, but to inquire whether this separation, when it takes place, will be a real and effective separation; whether in future Burma will play

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its part as a separate dependency of the British Crown fitting into the ordered framework of the British Commonwealth of nations; whether we are erecting a facade of constitutionalism behind which Burma will remain an appanage of India, an economic serf of India, a country with no vital direct link with the United Kingdom. It is that issue which concerns me most vitally. We learned this afternoon from the Secretary of State that Burma and India, with the consent and connivance of His Majesty's Government, had arranged for a private Customs agreement as the result of which India will be in a position to send into this new and separate country manufactured goods on terms which show a preference of 25 per cent. over the duties which similar goods from the United Kingdom will have to pay.

I am not arguing the expediency of that situation, but the principle of it, when we are proposing to set up a new constitution for Burma as a separate part of the British Commonwealth, seems to me to be so unfair and so out of proportion to the general scheme of the economic arrangement within the British Empire, and so preventive of proper opportunities for vital manufacturing interests in this country, that I must be careful not to use extreme language in my denunciation of the position. There are certain agreed economic policies in the development of the British Empire. There are, for instance, the Ottawa Agreements, the policy of which aims at the development of reciprocal economic conditions between the United Kingdom and constituent parts of the Empire. Of course, it is understood that, in accordance with this policy, there may be import and export duties between constituent parts of the Empire for purposes of revenue or to ensure reasonable protection. The question we have to ask ourselves in connection with this matter, however, is why are import duties imposed at the present time against United Kingdom manufactured goods imported into Burma? The answer is because up to now Burma has to be considered a part of India. No longer is Burma to be a part of India, and yet the very duties which are put forward by reason of her association are, according to the Secretary of State, to remain for a period of five years. I consider the prin-

ciple of that situation to be unjust. We are asked to consent to a private deal which, from the point of view of economic Empire development, has no justification.

There is another mainstay of the British Government's economic policy which is very dear to the heart of the Board of Trade. It is the most-favoured-nation clause. We have made many sacrifices—sacrifices which many people have considered to be too great—in order to ensure for this country the position that goods should be exported from Great Britain to any civilised part of the world on terms which are no more onerous on the United Kingdom exporters than the terms from the most favourable importing country importing similar goods. That is a position for which the President of the Board of Trade has fought hard and still continues to fight; but what has become of the most-favoured-nation clause in this proposed Indo-Burma trade agreement? Where is the President of the Board of Trade? Has he fought for the right of entry of British goods into constituent parts of the British Empire under the same terms—not more favourable terms—as goods coming in from any other part of the world including the British Empire? It is astonishing that in the course of these negotiations he should have sat down like a lamb without making some struggle to get most-favoured-nation terms for the United Kingdom within the British Empire.

Several reasons can be urged in justification of a temporary agreement, but, in my view, most of them are specious, and are reasons which His Majesty's Government ought to reject. It has been pointed out by the hon. Member for the English Universities, (Sir R. Craddock) that Burma is under a special obligation to India, particularly in relation to defence. Is not Burma under a special obligation to the United Kingdom for its development, its financial stability and its credit? Who is responsible for the sea defences of Burma? Surely this country. We have claims on Burma just as much as India has. Again, it may be said—and it is true—that a large proportion of the exports of Burma are taken by India. This is perhaps the crux of the whole situation, but is this to be the sole ground on which a matter of this character is to be decided? Let me give an example. The United Kingdom take the majority

of the exports of Ceylon. Do we therefore say that we shall demand from Ceylon better terms for our imports into Ceylon than the terms of similar manufactured goods coming from India? We do not.

The policy which we put forward is a policy of saying that manufactured goods coming from any part of the British Empire should go into British Empire markets under equal terms. I contend that the principle of the right to most-favoured-nation terms within the British Empire should be laid down, and that, if necessary, some temporary agreement, which would only be in mitigation temporarily of that situation, should be brought forward to deal with the particularly close association which now exists between India and Burma. We have recently seen tabled a British-Indian trading agreement, and part and parcel of the terms of that agreement are that whatever conditions this country can obtain in its colonial markets it is willing and anxious to share with India. Surely, in these matters we are entitled to ask for a little reciprocity. India may have this close association with Burma, but the United Kingdom has even closer association with many other parts of the Empire and it is willing to share them. India at the present time is getting markets in Africa which it has only been able to obtain through the good will of the United Kingdom.

Another argument which has been used is the conflict of British interests in Burma, and that there are people in this country who are so closely connected with Indo-Burman reciprocal trade that it would be unwise to do anything to disturb the valuable commissions which the merchants obtain on that trade. It is unworthy to put forward that argument and to set these two sections of India against each other. Nobody wants to stop or to injure Burma's Indian trade—the desire is to increase it—but surely the merchants' commissions can be just as advantageously obtained by trade generated in this country as trade that goes from India to Burma. I would not like it to be understood that one does not realise that during this transitional period some duties will be necessary. The finance of the country must be safeguarded, but why should the rate of duty for Burma be a rate which has been imposed by India in relation to her imports

for India's own specific purposes? Take, for example, the rate of import duty on piece goods into India. It is 25 per cent., which is made up of 15 per cent. of protective duty and 10 per cent. of revenue duty. What is the proper figure which Burma ought to impose? Surely it is a figure which Burma itself, in accordance with its financial requirements, ought to indicate, and not the figure which is imposed on it by India.

The Secretary of State suggested that he was open to argument in respect to the length of time for which this temporary agreement should be operative. Five years has been mentioned, but in my view that is too long. I think that three years is ample time in the present position of Burma, realising the fluid and variable nature of the trade. It is ample time for the readjustments of the position, which must be made arising out of the separation of Burma, to be brought to fruition. This quasi-private, secret deal between India and Burma seems to me to be lacking in those essential principles which ought to commend it to the House. The only principle it seems to have is that of expediency. It indicates much too clearly the use of the big stick by Indian commercial interests. It shows how in face of this big stick His Majesty's Government are prepared to tear up some of their most cherished economic policies, and it goes a long way towards making the next hundred clauses in this voluminous Bill very disappointing to many sections of the British community.

8.0 p.m.

Sir S. HOARE: My hon. Friend, as I hope I shall show in the course of my speech, is not justified in drawing the conclusion which he did in his speech. Let us set aside generalities and let us face the actual facts of the position. Let us all face these facts, realising that everyone of us is equally anxious to promote British and Imperial trade. Let us begin with that assumption and let us not assume that one section in this House is less anxious on that point than any other section.

What are the facts of the position? The facts are these. First of all, that India has fiscal autonomy under the fiscal convention. Burma as a part of India has at any rate some share in that fiscal autonomy. The conclusion that I

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draw from this fact is that in the interests of British trade, holding the views that I do hold, it would be a great error to attempt to undermine that convention and to impose a mercantile policy upon India in negotiations of this kind. When I say a mercantile policy I mean a policy of the old 18th century mercantile theory. Secondly, let us keep in mind the essential fact that if there is to be separation between India and Burma it is absolutely necessary to prevent economic catastrophe resulting from the dislocation of those interests. That goes to show that it is essential to have a *modus vivendi* of some kind between the time when Burma is separated and an autonomous government in Burma is in a position to make some permanent trade arrangement for the future.

Thirdly, let us remember the fact that there are, in spite of what the hon. Gentleman has just said, two different points of view as far as British traders are concerned. On the one hand, there is the point of view just expressed by the hon. Member for Stockport (Mr. Hammersley), and, on the other hand, there is the point of view expressed equally strongly by British firms operating in Burma, representing £40,000,000 or £50,000,000 of British capital, who wish to see the *status quo* continue not for a short period of time but for ever. We have got to take these three groups of facts into our consideration, and I think that the only conclusion at which we can arrive is the conclusion suggested earlier in the Debate by my right hon. Friend the Member for Hillhead (Sir R. Horne), namely, that we have got just as much in the interests of British trade as in the interests of Burmese and Indian trade to make a temporary agreement that will remain in existence for a period long enough to prevent some catastrophe happening as a result of some sudden emotion either in Burma or India.

The Committee can take it from me that if there is to be a temporary agreement of this kind it can only be done on the kind of basis I have sketched to the Committee. I am quite sure that on any other basis the agreement is impossible. Neither India nor Burma will make it, and if indeed we had the power of forcing them to make it the inevitable result

would be that as soon as the temporary agreement was over the new Governments, both in Burma and India, showing their resentment against an agreement being thrust down their throats, would immediately adopt a contrary policy to the great disadvantage of British trade. That being so, I suggest to the Committee that first of all there must be a temporary agreement. If there is to be a temporary agreement it must be on the lines of the *status quo*, a *status quo* which keeps the position as it is between India and Burma and also between India and Great Britain. The question for the Committee if they agree with my line of argument so far is how long is to be the duration of that agreement. I agree with my hon. Friends from Lancashire that that agreement ought not to be of undue length. It should be of sufficient length to enable the new Governments to settle down and to enable the Indian Government and the British Government to enter into negotiations with the Burma Government and to make what agreements are possible. I hope then that the British Government and the Burma Government will come together, and we shall see that we have much in common between us in the future. For the moment there must be this interim agreement, and it can only be on the lines I have suggested. How long that agreement should last is a matter for argument. The negotiators in India have suggested five years. If my hon. Friends from Lancashire or hon. Friends representing any other substantial sections of British trade think that the period should be a shorter period, and they will discuss the question with me or the Board of Trade, let us by all means have a discussion on those lines. We are not to-night taking a final decision. The agreement has not been placed before me yet in detail. Even if it had been placed before me in detail it would have to be ratified by the House of Commons.

Mr. CHORLTON: Has the agreement been seen by any of the Lancashire interests?

Sir S. HOARE: I cannot tell whether that is so or not, but it does not anyhow affect the argument I am now making, namely, that the agreement must come up for ratification before the House of

Commons under the Order-in-Council procedure. Let us then in the meanwhile think of the practical difficulties that I put before the Committee. Let us face those difficulties, and, facing then, let us discuss with each other the question as to how long this temporary agreement may continue.

8.9 p.m.

Duchess of ATHOLL: I do not wish to enter into the question of the desirability of the separation of Burma from India. It has been very fully discussed and I am quite ready to accept the balance of opinion which seems to be in favour of that course. Nor do I wish to say much on the trade question, which has been very ably discussed by many hon. Members. I wish mainly to speak on the question of whether Burma is ready for these wide powers which the Bill proposes to give her. I think that all the hon. Members who heard the speech of my hon. Friend the Member for the Combined English Universities (Sir R. Craddock) must have felt that they learned a great deal from the hon. Gentleman. He put clearly before us in an illuminating manner the fact that Burma's political development is behind that of India, and yet the Bill proposes to give to Burma more powers than it proposes to give to the Provinces of British India. This question of the political development of Burma being younger than that of India is a very material one, particularly from the point of view of those who sit on these benches, because no argument has been used more frequently by supporters of the Government proposals than that for 100 years we have been preparing India for some change of this kind. It has been said that from the days of Macaulay's Minute on Education, 100 years ago, repeated promises have been made to Indians by prominent Englishmen in India leading them to expect self-government. I do not know of any promise of that kind that was really authoritative until Mr. Montagu's declaration in 1917, nor do I know of any declaration that was unconditional. The Act which gave effect to Mr. Montagu's declaration, as we know, made all further advance depend on the use made of the powers given under the Act, and I believe that no one ever meant to leave out of account the question of efficiency.

It is therefore an important matter for consideration that Burma's political development is so much younger than that of India. I think that it must have come as a shock to many Members who heard my hon. Friend to learn that local self-government only dates in Burma from 1922. In India it began in 1885, and we know that in India municipal and district boards have still a great deal to learn. There is ample evidence to that effect in the annual reports of Provincial Governments. It is therefore not surprising to find that the Government of Burma in their memorandum to the Statutory Commission was very frank about defects in the work of their local authorities. They speak for instance about frequent frauds and embezzlements, and lack of action against those who proved guilty. They also say that authorities too often ignored auditors' comments, and showed themselves indifferent to the qualifications, antecedents, and behaviour of their officers. It was a very damning account for any Provincial Government to give to the Statutory Commission of those local authorities, and it does not give the idea that the Burma Government of that day felt that the province was ready for very much wider powers.

Then my hon. Friend spoke of the importance of the defence of Burma, of Burma's great needs in regard to defence, and he pointed out how dependent she was, not merely on this country for naval defence, but on other than Burmans to man the military police. It is very interesting to see the evidence that was laid before the Statutory Commission on that point of the dependence of the Burmese military police on recruitment in India by the Chief Secretary and the Inspector-General of Police. It endorses what he said as to Burmans resenting the high standard of discipline that is necessary for military police, and not caring to serve on that body.

Evidence was also led with regard to disturbed conditions in the country internally. Cognisable crime was said to be about three times as high as in Bihar and Orissa or Madras. The reasons given for it in the Government's memorandum were lack of self-control engendered by the absence of parental discipline, and by the decay of religious feeling, and to the "boredom of village life," which induces the village youth to join a dacoit band—

[Duchess of Atholl.]

"at first with little criminal instinct but chiefly to add a little excitement to his humdrum village life."

The general apathy and indifference toward crime were also cited, and it was said that

"the lack of public opinion against crime and the tendency to assist the criminal and to thwart justice"

was marked, especially in Upper Burma. It made detection and successful prosecution very difficult.

That little quotation serves to illustrate what my hon. Friend said as to a certain lack of responsibility shown by a good many Burmans, which is a part of their lack of political ability. The Statutory Commission heard very strong evidence against the transfer of law and order to a responsible Minister. It was admitted, of course, that there was not the communal difficulty which is one of the great difficulties in the way of the efficiency of the police in India in the event of such a transfer, but the witnesses were quite clear that there were political influences which would press on a Minister in charge of law and order, with great detriment of the force. The late Inspector-General of Police told the Commission that it would be a very bad thing for law and order to be transferred, because law and order was an important subject and should not be subject to political interest, and local influence could be brought to bear on the Minister. Morality and discipline would be considerably affected, he said, as this influence got to be known and its effects were perceived. It was said to him, "But you have now a Burman member of the Governor's Council in charge of law and order, and why, therefore, should you object to a Burman Minister?" His reply was prompt. He said:

"The Minister has got more or less to keep in with his party. If he is constantly flooded with petitions from members of the Legislative Council from the various constituencies to do this and to do that, it will bring discouragement to the whole force from top to bottom."

He went on to say that if there were a Minister the Inspector-General of Police would cease to function, because he would be simply flooded with orders to do this and to do that and would not know where he was. When pressed he repeated that an elected Minister would be subject to much more pressure than

a nominated member, and said that he was voicing the feeling throughout the force. He admitted that there was a good deal of bribery in the police force, but in a rather illuminating manner he went on to say that there was not more of it than in any other service. That seems to me to be a remarkable statement to be made by one who had been Inspector-General of Police. I regard this evidence as of the more importance because I cannot recollect that the Joint Select Committee heard any police evidence from Burma, and I shall be glad if my hon. Friend the Under-Secretary can tell me whether I am wrong. I cannot remember that among the police witnesses who gave evidence before the Joint Select Committee—evidence of a striking nature—there was one from Burma. If there was any police witness from Burma, I should be glad if the Under-Secretary would tell me whether that witness was asked his opinion of the proposed transfer of law and order and what his opinion was.

I believe that no witness was heard, and therefore the Joint Select Committee had no expert opinion to put alongside or to contrast, if necessary, with the evidence I have just quoted of the late Inspector-General of Police before the Statutory Commission. Indeed, so far as I understand, the Joint Select Committee did not hear any expert or independent evidence in regard to the Burman question at all. They heard only the views of the Burmese delegates and of the official advisers, and that is not the same thing as hearing the independent evidence of men who had served in Burma and who, having retired, were free to speak their mind, as was the case of several witnesses who had formerly served in India and who gave evidence before the Joint Select Committee. Therefore, I am afraid that I cannot regard the opinion of the Joint Select Committee in regard to the powers to be handed over to Burma as really informed. It cannot be put alongside the opinion expressed to-day by my hon. Friend the Member for the English Universities, who can speak out of his great and first-hand knowledge of Burma and after many years spent in work in India.

In conclusion, I wish to say a word about the trade question. I confess that I am gravely concerned to hear that no

attempt is apparently to be made to ensure any favourable terms for British trade with Burma for upwards of five years. I recognise, of course, that my right hon. Friend has just said that the period might be less than five years, but it is a very serious matter that there should be any question of so long a period elapsing without any attempt to open up favourable conditions for mutually advantageous trade with a country of such great possibilities, for which we have done so much, and whose defence, by sea at least, we continue to guarantee. Having some idea of how the 25 per cent. duty on cotton goods into India has damaged trade in Lancashire I cannot but feel that it will be a very serious matter if there is a continuance of such a duty on British cotton goods entering Burma. My right hon. Friend the Secretary of State, in dealing with this subject just now, used as his first argument in favour of the proposal to do nothing for five years, that India has fiscal autonomy, in which Burma shares, and that it would be a great blunder to attempt to undermine the present Fiscal Autonomy Convention. That statement ignores the safeguards in the Convention, and as those safeguards have never, so far as I know, been explained to the House by my right hon. Friend I hope the Committee will forgive me if I remind them of what they are.

According to the Simon Commission Report the safeguards are three in number. The first is that the Secretary of State can intervene if the Government of India does not approve of a tariff proposed by the Indian Assembly. That safeguard, I understand, has been well recognised by the Indian Assembly itself as a safeguard that can be used extremely effectively by the Secretary of State, because under present conditions the Governor-General is responsible to the Secretary of State. It is recognised by the Assembly that he is not a free agent, and that the Secretary of State could intervene to mitigate or veto any tariff. Then he also has power to veto any tariff which would bring India into conflict with any other part of the Empire. Finally, and this seems the most important of all, he has power to veto any tariff which is contrary to the general line of Empire policy. This third safeguard may not have meant very much in 1922, when this Convention reached its final form, but I submit that it has had a very great value

since 1932, when the Empire agreed on a policy of mutual Imperial Preference. That safeguard would enable the Secretary of State to ensure that a preference was given in all tariffs imposed by the Indian Assembly. He has the power to do so.

It is important that the Committee should realise the safeguards in the Fiscal Autonomy Convention, and realise, also, that if this Bill passes into law that Convention goes by the board. I do not think that fact has been made clear to the House by my right hon. Friend, nor do I believe that the safeguards in the Convention and the fact that the Convention goes by the board are fully understood in Lancashire. So little has been said about this that I feel there is really widespread ignorance on the subject, and therefore I have felt it necessary to draw the attention of the Committee to the position. I feel obliged to say that if the country realised the safeguards that there are to our hand, which have been utilised—anyhow the first has been utilised occasionally—but which certainly have not been utilised fully, and that these safeguards are to be given away by the proposals in the Bill, I am certain what the verdict of the country would be. The country would say that a great deal too much has been given away, and would entirely refuse assent to the proposals. I am sure also that there will be very great disappointment in Lancashire on learning that the right hon. Gentleman seems to find it so difficult to do anything to reduce the 25 per cent. tariff which, I understand, has added so much to the unemployment of Lancashire.

8.26 p.m.

Mr. RADFORD: I have had an experience this afternoon, which is no doubt common to many Members of the Committee, of sitting for five hours and then hearing what I was going to say said with much greater ability and clarity than I could possibly have said it. The hon. Member for Stockport (Mr. Hammersley) has put before the Committee most of what I wanted to say, but there are one or two things still left unsaid. First, I should like the Committee to understand how strongly Lancashire will feel about the *status quo* agreement which the Secretary of State has announced. I do not think that any

[Mr. Radford.]

duties with which Lancashire has had to contend have aroused more resentment in the county than those on the goods which Lancashire has tried to send into Burma. Burma, as stated in the Simon Commission's Report and as is admitted on all sides, does not constitute any part of India. It is a separate country, separated by an impenetrable barrier of mountains and forests, but because, for the purposes of convenience of administration, it was decided some time in the past, that Burma should be treated as part of India, one result is that a cargo boat goes to Burma from England with cotton goods to be landed at Rangoon and another cargo boat goes from Madras or Calcutta with Indian manufactured cotton goods. The latter boat travels 700 miles from Calcutta or 1,000 miles from Madras, but when the boats reach Rangoon the Lancashire goods have to pay 25 per cent. duty, and, on certain lower priced cloths, a specific duty of four and three-eighths annas per pound in addition, while the Indian goods go in duty free. It is bad enough for our manufacturers to have to face a high tariff barrier in India proper, but that, owing to the accident in the past, when British trade was not thought of and when tariff barriers were not as high in India as they are now, and it was deemed for administrative purposes that Burma should be considered as part of India, Lancashire should have that barrier to get over, is regarded as an injustice which has rankled badly among the cotton goods manufacturers of Lancashire.

The five-year period which the Secretary of State has adumbrated should certainly be materially restricted. The Joint Select Committee in 1919, upon whose recommendations the fiscal autonomy convention was adopted, which convention has been adhered to, said that one thing was most desirable, and that was that there should be no feeling of suspicion in India that India was being administered from Whitehall in the interests of Great Britain. I agree, but there are limits to the altruistic way in which we should carry out those things. What Government department, such as the Board of Trade or the India Office, has been responsible for or has taken any part in these discussions in regard to the agreement, which as the Secretary of

State has said, has not been absolutely settled but is, at any rate, in embryo? Surely our Board of Trade, or the India Office, has taken a hand in the discussions. We are not trying to exploit either India or Burma, even after separation, but let the Committee look at what we have done within the last few months, in the face of acute competition, principally from our friends and competitors the Japanese. Quota arrangements have been made in various British Crown Colonies, and India has been allowed to participate in them, and to share in those quotas on level terms with ourselves; yet here is a proposition which, as the hon. Member for Stockport said, introduces for the first time a new principle into the economics of our Empire. There is actually not even to be most-favoured-nation treatment between the Mother country and the other parts of the Empire.

A further point which I would like to put to the Under-Secretary in the hope that he will be good enough to consider it himself, or in conjunction with his right hon. Friend, is that earlier in the Bill there was a definite provision—in Clause 12, to be exact—that one of the duties of the Governor-General should be to prevent any discriminatory treatment in regard to British or Burmese goods imported into India. I do not know whether I should incur your displeasure, Sir Dennis, if I said, without specifying the Clause, that there is a similar provision very shortly after the Clause which we are now considering. You referred to it earlier on. It gives an instruction to the Governor of Burma that he shall similarly prevent any discrimination against Indian or English goods. What is the meaning of “discriminatory treatment”? Would not the admission of other goods into India at more favourable rates of duty than were afforded to British goods, constitute discriminatory treatment against the goods of Britain? Would not the admission of goods into Burma, from some other source at lower rates of duty than were charged upon British goods, be a discrimination against British goods?

I put it to the Under-Secretary that the agreement which is under consideration, although not finally completed, and which proposes that Burmese goods shall go into India on more favourable terms than British goods and that Indian goods shall

go into Burma on more favourable terms than British goods, justifies our objection to it that it constitutes discriminatory treatment against the goods of Britain. I will not press my hon. Friend to give a reply now, but I should be glad if he and his right hon. Friend would consider the point. Discriminatory treatment is difficult to define, but it seems that the proposed arrangement would involve discriminatory treatment against British goods in both directions.

8.34 p.m.

Sir R. CRADDOCK: I want to say a few words upon the trade question and as to what fell from the Secretary of State for India. He said that India enjoyed the fiscal autonomy convention and that Burma also enjoyed it. If there is one thing which Burma has complained about all these years it is that her tariff policy has been forced upon her by India. Consequently, it seems a bit far fetched to suggest that Burma is to follow India in respect of British goods. I should like to put this point, and it is a point which is contained in the Joint Select Committee's Report, that the tariff which Burma, as part of India, had to impose was a severe hardship on her people, because she had no interest in Indian industries like Tata's iron and steel works or the textile industry. She had no such industries herself, but, in order to protect India, she was subjected to tariffs which made all these goods extremely expensive for her, and that has been the burden of her complaint. Now it is contended that under this agreement Burma may be dictated to by India as to what duties she shall impose, when she is separated, against United Kingdom goods. It is true that as long as she is part of India she has free trade with India, but the condition which makes United Kingdom goods more expensive to Burma is dictated to her by Indian interests, and that is why I object to the whole thing. Why should India dictate to Burma as to what duties she shall impose on United Kingdom goods after she has got her own constitution?

8.37 p.m.

Mr. MORGAN JONES: Before this Clause is put, I should like to add one or two words. At the beginning of the Debate I indicated what our reactions were to the general question of separa-

tion and non-separation, but, whether the decision be in favour of separation or of non-separation, Burma will be a province. On previous occasions we have put down, with respect to various provincial matters, a number of Amendments. We have only two Amendments on the Order Paper with regard to Burma as a province. It is not, however, because we regard Burma as of less importance than a province of India, but because we have felt that the issues have already been decided on the previous Clauses, that we have felt that it would not be necessary to traverse the ground again by putting down the same Amendments. I would like the Government to understand, however, that our attitude towards the various details in relation to the establishment of Burma as a province is exactly the same, or is in most particulars the same, as it was with respect to each separate province in India.

Question, "That the Clause, as amended, stand part of the Bill," put, and agreed to.

Clauses 299 to 302 ordered to stand part of the Bill.

CLAUSE 303.—(*Discretionary functions of Governor.*)

8.40 p.m.

Sir R. CRADDOCK: I beg to move, in page 178, line 10, at the end, to insert:

"(2) The functions of the Governor with respect to all matters mentioned in List I and List III of the Seventh Schedule, other than such matters as necessarily relate only to India, shall be exercised by the Governor in his discretion."

Provided that His Majesty in Council may, on an address in that behalf being presented to him by each House of Parliament, order that the functions of the Governor in respect of any such matters shall be exercised by the Governor in his individual judgment."

This Amendment seeks to provide, in consequence of the inexperience of Burma in matters of provincial government, that she shall only have legislative powers over the matters contained in the Provincial List and only partial legislative powers in matters contained in the Concurrent List. Therefore, in Burma, those powers which in India would be on the Federal List, or powers on the Concurrent List with regard to which the Federal Legislature would have common rights, would be reserved to be exercised

[Sir R. Craddock.]

by the Governor. This would really put Burma in the same position as an Indian province, and she would merely have the rights given under provincial autonomy. It is unnecessary to enlarge upon the matter, but Burma is in a far more backward state than India in political and other matters and in experience in local government. She is probably 40 or 50 years behind India in these respects, and to give her greater legislative powers than the other Provinces would be to put her on a much higher platform as regards political powers and experience than would be really reasonable in her present state of development.

8.42 p.m.

Mr. BUTLER: I think it is clear that the object of my hon. Friend is to give to Burma the equivalent of provincial autonomy by reserving to the Governor in his discretion all subjects which come within List I and List III. It will be worth while to examine shortly the effect of the Amendment. The effect would be except as regards certain subjects which have to do with India alone, and of which the Amendment takes account, to exclude from the Ministers' control certain subjects which are really essentially provincial subjects. For instance, Item 10 in the Federal List would, in the case of Burma, cover the Public Works Department; Item 16, the Census, would be taken out of the Ministers' control by the Amendment, and put under the Governor in his discretion; Item 24, Fishing and Fisheries, would be taken out of the Ministers' control; while in the Concurrent List vital and important subjects like health insurance, lunacy, and questions of public health would be removed entirely from the Ministers' control and put under the Governor of Burma in his discretion. The effect of the Amendment, therefore, would be to take out of the control of Ministers, and put under the Governor in his discretion, many vital and important matters which are essentially matters which ought to be handled by Burmese Ministers. The effect of the Amendment would be, therefore, to give Burma very much less than she has been repeatedly promised—to give her very much less than provincial autonomy. That being the case, it would be quite impossible for us to accept the Amendment.

8.43 p.m.

Sir H. CROFT: Is it not possible for the Under-Secretary to accept the principle underlying the Amendment? We realise that some alteration would be necessary, but we are aiming at the principle, and perhaps, on Report, words could be added making it possible to include certain subjects. Is the Under-Secretary opposed to the whole principle of the Amendment, or is the difficulty only that which he has mentioned?

8.44 p.m.

Mr. BUTLER: I think the question of the hon. and gallant Member is a perfectly legitimate one. I have taken the Amendment as it stands on the Order Paper, and have replied to it as such. If I am asked whether we could accept the principle of the Amendment, I must reply that we could not. The object of this part of the Bill is to give to Burma a unitary form of government, and, that being so, we do not want to exclude from the Government of Burma any matters which we consider should be dealt with by the future Government, either in respect of reserved departments under the Governor or in respect of those matters which will be transferred to the Burmese Ministry. The Government cannot accept the many statements that have been made during the course of the day that the Burmese are not capable of the formation of the government which we suggest. I ought to remind the hon. and gallant Member that pledges have been given to Burma, as have been referred to in our debates, by the Prime Minister and by my right hon. Friend, that Burma should not get substantially less than is being given to India and that her status should be equivalent to that of the Indian Government which we propose. In view of the pledges which have been given, it is extremely important that we should not accept an Amendment which would take away from Burma many of those powers and duties which we wish to give her.

The Noble Lady the Member for Perth and Kinross (Duchess of Atholl), who, I see, has returned to her place after a very short interval, and who has followed all these debates with such care, has given us examples of evidence to show that Burma is not competent to take on as much as, I believe she would say, an Indian Province. The answer shortly to

that is that in Burma there has been one extra transferred department. Burma has had a Forest Department ever since the reform started in Burma at the time of the Montagu-Chelmsford reforms. As I have previously shown to the House on other occasions, and as I have shown to-day, the administration of that department has, according to all examination and investigation, been perfectly satisfactory. We consider, therefore, that it would be wrong to give to Burma an inferior form of government than that allowed to India, and, therefore, we cannot accept the principle of the Amendment.

Duchess of ATHOLL: Will the hon. Gentleman be good enough to answer the question I put with regard to the Joint Select Committee as to whether police witnesses were asked their opinion on the control of law and order?

Mr. BUTLER: I do not think that that is in order on this Amendment.

The CHAIRMAN: I am afraid that that matter does not arise.

8.48 p.m.

Sir H. CROFT: The hon. Gentleman mentioned the words "unitary government." May I remind him that this is a unitary form of government of a more advanced scale than that in any other similar country in the Empire apart from self-governing Dominions. When he says that the Government dissent from the views expressed earlier in the evening as to the ability to carry out such a form of government, I would only remind the Government that the whole story with regard to the Burmese electors, how they declared for remaining in India and how, thereafter, their representatives in the Assembly could not come to any decision one way or the other in spite of the mandate of the electors, shows that the people of Burma are hardly yet in such a condition, without doing injury to themselves, to carry out a form of unitary government of such an advanced character.

Duchess of ATHOLL: Arising out of what the hon. Gentleman has said about pledges, may I ask him whether it was not the case that the Joint Select Committee reported that Parliament was not bound by any pledges with regard to India?

Dr. O'DONOVAN: Do I understand that under this unitary proposal the Burmese will have the right to set up an independent medical register, and that question of reciprocity with qualifying bodies in this country will arise under this Clause?

8.49 p.m.

Mr. BUTLER: I think it would be better that the question asked by my hon. Friend the Member for Mile End (Dr. O'Donovan) should be dealt with on the Clauses dealing with discrimination to which we shall be coming later. With regard to the question of the Noble Lady, I was referring to what was said by my right hon. Friend the Secretary of State in 1931, that the prospects of constitutional advance held out to Burma as part of British India would not be prejudiced by a decision in favour of separation, and the Amendment which has been moved by the hon. Gentleman gives much less than provincial autonomy and would, therefore, be going against that pledge.

Amendment negatived.

Clause ordered to stand part of the Bill.

CLAUSE 304.—(*Special responsibilities of Governor.*)

Amendment made: In page 178, line 26, after "to," insert:

"and to the dependants of, persons who are or have been."—[*Mr. Butler.*]

Mr. BUTLER: I beg to move, in page 178, line 27, after "provided," to insert, "or preserved."

Sir H. CROFT: May we have an explanation of the Amendment?

Mr. BUTLER: These Amendments are equivalent to those which were moved in the Indian section, Clauses 12 and 52, and they are in order to ensure safeguards for retired members of the Civil Service.

The CHAIRMAN: The hon. and gallant Member for Bournemouth (Sir H. Croft) will no doubt remember that I said that, in going through these Amendments rapidly, I would stop and pause if they were not identical with what we have already done.

Amendment agreed to.

Motion made, and Question proposed, "That the Clause, as amended, stand part of the Bill."

8.51 p.m.

Sir H. CROFT: I should like to ask whether it really is the intention of His Majesty's Government, after the eloquent speeches which we have heard from Lancashire this evening, to keep in paragraph (f) of Sub-section (1). May I urge once more that to insert these words in a great Legislative Act:

"the prevention of action which would subject goods of United Kingdom or Indian origin imported into Burma to discriminatory or penal treatment."

is something which we have never seen inserted in any Act of Parliament before with regard to a British Possession. Have the Government taken cognisance of the point mentioned by the hon. Gentleman the Member for Rusholme (Mr. Radford) with regard to the fact that the *status quo* which the Secretary of State reassured the Committee was going to continue during the five years, there is discriminatory action against British goods being imported into India? May I ask whether, as an answer has not been given to the hon. Gentleman's specific point, His Majesty's Government are going to consider that point, or are we going to throw away for five years, or perhaps for all time, an entry into this great market which was built up under British genius and skill, just because we do not appreciate the damaging nature of this Sub-section?

8.53 p.m.

Mr. BUTLER: It was not through any wish not to do so that I did not reply to the hon. Member for Rusholme (Mr. Radford) when he raised this question. I envisaged that there would be an opportunity when we reached this part of the Bill. The hon. and gallant Member will remember that in the equivalent Indian portions the operation of this special responsibility and the occasions on which it might be used are described in the Instrument of Instructions to the Governor-General, and the terms of the Instrument of Instructions exactly bear out the advice given to us on this subject by the Joint Select Committee. The hon. and learned Member will find the exact terms set out in paragraph (14) of the Instrument of Instructions. It is our intention to preserve the Sub-section, as we consider it has been put there for special reasons which were referred to in certain terms by the hon. Member for Rusholme:

"at such time as there is an opportunity to explain the terms of the Instruments of Instructions to the Government of Burma."

I can assure the hon. and gallant Member that an equivalent meaning will be included in the Instruments of Instructions regarding the operation of this particular responsibility as included in paragraph (f) of Sub-section (1).

Sir H. CROFT: Is there any hope that the specific point with regard to the duties which are at the present moment discriminatory against British goods in Rangoon will be included in the Instruments of Instructions?

Mr. BUTLER: On that broad question, I think that I had better give the general answer that for the time being I have nothing to add to what I have said about the nature of the agreement up to the time that the period elapses. It will be for the two autonomous governments to come to an agreement about our trade, and at any time after the new constitution starts, if there is any action of a discriminatory or penal nature, it is covered by paragraph 14, for instance, of the Instrument of Instructions of the Governor-General. The Governor-General will have the right to intervene.

Question, "That the Clause, as amended, stand part of the Bill," put, and agreed to.

Clause 305 ordered to stand part of the Bill.

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CLAUSE 306.—(*Superintendence of Secretary of State.*)

Amendments made: In page 179, line 27, leave out from "shall," to "be," in line 29; in line 35, at the end, add:

"(2) Before giving any directions under this Section the Secretary of State shall satisfy himself that nothing in the directions requires the Governor to act in any manner inconsistent with any Instrument of Instructions issued to him by His Majesty."—[*Mr. Butler.*]

Clause, as amended, ordered to stand part of the Bill.

Clause 307 ordered to stand part of the Bill.

CLAUSE 308.—(*Advocate-General.*)

Amendments made: In page 180, line 20, after "person," insert "being a person qualified to be appointed a judge of the High Court;" in line 25, at the end,

insert, "by the Governor."—[*Mr. Butler.*]

Clause, as amended, ordered to stand part of the Bill.

CLAUSE 309.—(*Provisions as to police rules.*)

Motion made, and Question proposed, "That the Clause stand part of the Bill."

8.57 p.m.

Mr. DONNER: May I say a few words on this Clause? As I understand it, the position of the police in Burma is quite as important as the question of the police in India. As the Clause now stands the police are under the control of Burmese ministers. I wonder whether the Under-Secretary would be good enough to reconsider that position between now and the Report stage, for this reason, that not only are the police of great importance to Burma, on account of the great numbers of crimes of murder and dacoities, but the whole position of Burmese defence rests not in the hands of troops but in the hands of the military police. Therefore, it would seem to be a case for keeping, if not the police, at any rate the military police outside the power and hands of Burmese politicians. There is one more reason, and that is that I believe the military police are very largely Gurkhas and Sikhs drawn from India or territories adjacent to India. If, therefore, the defence of the Burmese frontiers is to rest in the hands of foreign military police, that is an even greater argument in support of my contention. I should be glad if the Under-Secretary would sympathetically consider this question between now and the Report stage.

8.59 p.m.

Mr. BUTLER: I appreciate the point of my hon. Friend. The position of the military police in Burma is certainly rather different from the position of the police in India, but I think I can give my hon. Friend a general answer even at this stage. The position will be roughly this, that the military police in Burma are composed of ten battalions, four of which do service in the large towns and in the plains. It is proposed that the battalions which actually do work in the towns, and are the equivalent of the armed police in certain Indian Provinces, should be under the control of the Ministers, but that the frontier battalions, the military police of

Burma, should be under the Governor, in his discretion. That is the division that it is proposed to make, otherwise generally it may be said that the police provisions are equivalent to those in India. The hon. Member raised certain questions about the constitution of the military police in Burma. The Rangoon and Mandalay battalions are composed largely of Indians, but there is a definite recruitment of Burmans. It should be realised by the Committee, in answer to one or two remarks that have been made about recruitment, that a proportion of Burmans are recruited into these battalions. As regards the frontier police they are constituted, as the hon. Member said, of Gurkhas and Punjab mussulmans. I hope that answer will satisfy the hon. Member.

Mr. DONNER: If I understood my hon. Friend correctly, he drew a distinction between the ordinary police and the frontier or military police. Will he be good enough to point out where exactly that distinction is made in the Bill? It is not in this Clause.

Mr. BUTLER: My hon. Friend will not find it in this Clause, but if he will take my assurance I can assure him that this is the arrangement which it is proposed to make in the future, and it is done on the advice of the Joint Select Committee.

9.2 p.m.

Sir H. CROFT: May I point out that there will be two different branches of police. Surely in the inception of this unitary form of government it would be wise to keep this force in the hands of the Governor. We all know the dangers of political differences in a new country. Anyone who has read the evidence of the various Burman politicians must realise the intense feelings that can be created even when sitting round a table. I think that can be testified to by those who were members of the Round Table Conference. Is there not a very grave danger of political issues and would it not be wise, for a few years at any rate, to see that the police force was kept out of political influences in Burma?

9.3 p.m.

The CHAIRMAN: I think we are getting rather beyond the Clause. The Clause is all in favour of the hon. and gallant Member's contention, so far as it goes, but he is raising now something outside its scope.

Mr. MORGAN JONES: I do not think that we ought to allow the statement of the hon. and gallant Member to go unchallenged. We found differences of opinion between the two sections of Burmans, but I never saw politicians in my life co-operate so well together once they had decided on a line of action.

Mr. DONNER: I accept the assurance of my hon. Friend the Under-Secretary with regard to the arrangement which he says has been made, but if that arrangement has been made I do not see why it should not be included in the Bill.

9.4 p.m.

Mr. BUTLER: Perhaps I can reassure my hon. Friend by telling him that this is an executive matter which will be done by an executive order and that this is intended to be the arrangement for the future as regards the military police in Burma.

Question, "That the Clause stand part of the Bill," put, and agreed to.

Clause 310 ordered to stand part of the Bill.

CLAUSE 311.—(*Disclosure of sources of information.*)

Mr. BUTLER: I beg to move, in page 181, line 26, to leave out from "given," to the end of the Clause, and to add:

"(a) by any member of any police force in Burma to another member of that force except in accordance with directions of the Inspector-General of Police or Commissioner of Police, as the case may be, or to any other person except in accordance with directions of the Governor in his discretion; or

(b) by any other person in the service of the Crown in Burma to any person except in accordance with directions of the Governor in his discretion."

Sir H. CROFT: May we have an explanation of this Amendment?

Mr. BUTLER: There is a slight change in drafting from Clause 58 of the India section of the Bill.

Amendment agreed to.

Clause, as amended, ordered to stand part of the Bill.

CLAUSE 312.—(*Conduct of business of Government.*)

Amendments made:

- In page 181, line 37, leave out "in his discretion after consultation with his ministers."

In page 182, line 19, after "under," insert "sub-sections (2), (3), and (4) of." —[*Sir S. Hoare.*]

Clause, as amended, ordered to stand part of the Bill.

CLAUSE 313.—(*Constitution of the Legislature.*)

9.7 p.m.

Mr. BUTLER: I beg to move, in page 182, line 31, leave out "thirty" and insert "thirty-two."

The object of the Amendment is to enlarge slightly the number of seats in the Legislature in Burma in order to include two extra seats. It is intended that these two extra seats, over and above the 120, shall be given one to the Chettiar Association, and the second to the Burma Chamber of Commerce. The Chettiar Association have a very important position in Burma. It is composed mainly of merchant bankers, who perform services absolutely vital to Burma. It occupies a very important position in the national life and performs duties which Burma can ill afford to lose. It is only just that the Government should suggest an extra seat for the association. The other seat is for the Burma Chamber of Commerce. The object is to give an extra European representative. We have been pressed by Europeans to increase their representation in the Chamber. We did not succumb to their blandishments for some time, but I am glad to be able to announce that we have agreed that it is but justice that the European community should have one extra seat.

Mr. MORGAN JONES: How many had they before?

Mr. BUTLER: The Europeans will have eight seats, including this one, and the total number of the Chamber will be 132. This has been pressed upon us by the European Association, and I hope the Committee will agree that these two seats should be added.

9.8 p.m.

Mr. JONES: I am sorry to hear the pronouncement of the Under-Secretary, and his explanation. Already we have entered out protest against the representation of interests on these central bodies. I should have thought that seven was an ample representation of commercial interests in any case. Now there is one extra seat to be provided for

bankers and other commercial interests. I am astonished at the pronouncement, and I warn the Under-Secretary that on Report stage we shall take steps to enter our protest in a more formal way.

9.9 p.m.

Sir H. CROFT: The Committee, I am sure, will be interested in the protest of the hon. Member for Caerphilly (Mr. M. Jones) as representing the Socialist party. He rises in his wrath to protest that there are but eight European representatives in this new legislative body out of a total of 132. This is the first indication in this Bill from start to finish that His Majesty's Government are taking any steps to strengthen British interests, and I shall go into the Lobby against the hon. Member if he challenges the Amendment. I congratulate the Under-Secretary on having gone to some little extent to strengthen British interests. I hope hon. Members of the Opposition will realise what Burma owes to Britain, all that Britain has done, the millions of pounds we have poured into the country, and the fact that we have not subtracted such great profits. British credit in Burma, as in India, has been the cheapest credit of any country in the world, and when one realises what we have done in the defence of the country—the people of this country are still to be responsible for the defence of Burma, we shall still have to send our soldiers and sailors to offer their lives in the defence of the country—it is not asking over-much for a paltry eight representatives out of 132.

Mr. A. SOMERVILLE: I only wish to suggest that the hon. Member for Caerphilly (Mr. Morgan Jones) is a little inconsistent in objecting to these extra seats, for the bankers are the same people as the Baniyas into whose hands he and his party were willing to entrust India.

Amendment agreed to.

Motion made, and Question proposed, "That the Clause, as amended, stand part of the Bill."

9.11 p.m.

Mr. DONNER: I desire to draw attention to the fact that in this Clause the whole official bloc is entirely abolished.

The CHAIRMAN: The hon. Member is now proposing to discuss a matter which was fully discussed on the Indian Clauses.

Sir H. CROFT: Is not the case of Burma somewhat different from that of India? You have a far more backward political experience in Burma and therefore the point is not one of repetition.

The CHAIRMAN: I cannot, of course, prevent hon. Members differentiating between Burma and India on every single Clause of the Bill if they choose to do so. I am only reminding the hon. Members that they should bear that in mind.

Mr. DONNER: In this Clause the nominated evidence is withdrawn altogether, and I submit that in a country like Burma you will thereby exclude the possibility of having in the House of Representatives a number of able Burmese, capable of shouldering responsibilities, capable men of business, who would never submit to the hurly burly and publicity of popular election. If you abolish altogether the nominated bloc you will *de facto* exclude these people, who may be of the greatest value in Burmese administration. From that point of view I hope the Under-Secretary will reconsider the Clause.

9.13 p.m.

Mr. BUTLER: I do not think the hon. Member has fully appreciated the extent of nomination there will be in the Burmese Senate. Half of its members will be nominated by the Governor in his discretion. That answers the point that there may be some Burmans who will not wish to face the hurly burly of an election, inasmuch as the Governor will have ample chance of nominating any gentleman whose services may be required in the upper house. Apart from that, the main argument against continuing the nomination bloc is the same as that which applied on the Clause relating to India.

Sir H. CROFT: Is it not the case that wherever we have endeavoured to give full responsibility in other Crown colonies there has been an effort to maintain the nominated bloc, and that these nominated members have been of great assistance to the Government, a steadying influence when passions have run strong. Is it wise to dispense altogether with them?

Mr. BUTLER: I think I must repeat that the Governor will be able to nominate certain persons who may not

[Mr. Butler.]

wish to face election, because half of the Upper House will be nominated by him.

Question, "That the Clause, as amended, stand part of the Bill," put, and agreed to.

Clauses 314 to 319 ordered to stand part of the Bill.

CLAUSE 320.—(*Vacation of seats.*)

9.15 p.m.

Mr. BUTLER: I beg to move, in page 185, line 30, to leave out paragraph (a).

The CHAIRMAN: This, I understand, is an Amendment moved in anticipation of a similar Amendment intended to be inserted in the India section of the Bill on Report.

Mr. BUTLER: That is so. In order to avoid delay we have included the Amendment in this particular part of the Burma Bill before the Report stage.

Amendment agreed to.

Clause, as amended, ordered to stand part of the Bill.

Clauses 321 to 324 ordered to stand part of the Bill.

CLAUSE 325.—(*Rules of Procedure.*)

Amendments made: In page 189, line 10, leave out "affecting," and insert "connected with."

In line 15, after "matters," insert "connected with territories in Burma not vested in His Majesty or any matters."

In line 17, after "in," insert "Part I of."—[Mr. Butler.]

Clause, as amended, ordered to stand part of the Bill.

Clauses 326 to 328 ordered to stand part of the Bill.

CLAUSE 329.—(*Extent of laws of Legislature.*)

Amendment made: In page 191, leave out lines 1 to 17, and add:

"(2) Without prejudice to the generality of the powers conferred by the preceding sub-section, no Act of the Legislature shall, on the ground that it would have extra-territorial operation, be deemed to be invalid in so far as it applies—

(a) to British subjects and servants of the Crown in any part of Burma; or

(b) to British subjects domiciled in Burma wherever they may be; or

(c) to, or to persons on, ships or aircraft registered in Burma wherever they may be; or

(d) in the case of a law for the regulation or discipline of any naval, military, or air force raised in Burma, to members of and persons attached to, employed with or following, that force, wherever they may be."—[Mr. Butler.]

Clause, as amended, ordered to stand part of the Bill.

Clauses 330 and 331 ordered to stand part of the Bill.

CLAUSE 332.—(*Previous sanction of Governor required for certain Legislative proposals.*)

Amendment made: In page 192, line 18, leave out from "matters," to "or," in line 24, and insert:

"as respects which the Governor is, by or under this Act, required to act in his discretion."—[Mr. Butler.]

Clause, as amended, ordered to stand part of the Bill.

Clauses 333 to 339 ordered to stand part of the Bill.

CLAUSE 340.—(*Certain Burman laws not to bind British subjects domiciled in the United Kingdom and British India.*)

Amendments made: In page 197, line 40, leave out "Burman subjects of His Majesty," and insert "British subjects."

In page 198, line 16, after "any," insert "disability."

In line 17, after "residence," insert "the acquisition, holding, or disposition of property."

In line 17, leave out "property or."

In line 20, leave out "person," and insert "such person as aforesaid."

In line 21, leave out "claim."

In line 22, leave out "restriction, condition, or liability," and insert "disability, liability, restriction, or condition."

In line 23, leave out "Burman subjects of His Majesty," and insert "British subjects."

In line 25, after "similar," insert "disability."—[Mr. Butler.]

9.23 p.m.

The ATTORNEY-GENERAL (Sir Thomas Inskip): I beg to move, in page 198, line 29, to leave out Sub-section (3), and to insert:

"(3) The provisions of sub-section (2) of this section shall apply in relation to British subjects domiciled in India and subjects of any Indian State as they apply in relation

to British subjects domiciled in the United Kingdom, but with the substitution in the proviso to the said sub-section for references to the United Kingdom of references to British India or, as the case may be, that Indian State:

Provided that nothing in this sub-section shall affect any restriction lawfully imposed on the right of entry into Burma of persons who are British subjects domiciled in India or subjects of any Indian State, or any restriction lawfully imposed as a condition of allowing any such person to enter Burma."

I am very glad to be the means of allowing both you, Mr. Chairman, and the Committee, to draw breath in the process of improving the Bill. Perhaps I might be allowed to make some observations about this proposal. It is not on the same lines as those which we have rapidly adopted, all of which are mere adaptations or repetitions of Amendments in previous Clauses relating to India. The purpose of this Clause is to deal with the restrictions on discrimination, a subject which engaged the Committee for a considerable time when we were on Clause 111 and following Clauses in relation to India. The particular Amendment I am moving is to leave out the provisions of Sub-section (3) and to insert a new Sub-section. The course has been adopted of putting in the whole new Sub-section as an Amendment though very largely it is a repetition of what appears in the Bill. Instead of putting in the words in separate places so that hon. Members would have great difficulty in reading the Amendment, the whole new Sub-section is given on the Order Paper as an Amendment.

The main purpose of the Clause as amended is to bring within the scope of the Clause the subjects of Indian States in Burma, and to secure for them the same rights and the same protection as British Indian subjects enjoy. Certain questions are bound to arise with regard to the peculiar position of Burma in relation to immigrants from India, that is to say persons who are domiciled both in British India and in the Indian States. Those Members who followed the proceedings of the Joint Select Committee will remember the information that was given to that Committee as to the number of immigrants from British India into Burma. The persons who were domiciled in British India but are in Burma at any given time are something like 1,000,000 in round figures. About

21,000 of these were estimated to be persons who were domiciled in the Indian States, and little more than six-sevenths, about 18,000 out of the 21,000, were from Western Indian States engaged in professional activities or some form of business in Burma. The rest of them are very largely of the labouring class, and their part in Burma has been undoubtedly to supply necessary labour. At the same time the effect of Indian immigration has been to lower the standard of living in Burma, because they are prepared to work for lower wages than the Burman subject domiciled in Burma.

Nobody wants to discriminate between British subjects domiciled in India or Indian State subjects when they go to Burma, any more than one wants to discriminate between British when they go to British India. At the same time, you have to reconcile the desire not to have unfair or unreasonable discrimination with the right that must be preserved by the Burman Legislature to deal with this question of immigration. Every self-governing State requires to have power to prevent its internal economy being deranged by the immigration of persons, who, by reason of their activities or numbers, may be an inconvenience. The proposals contained in this Clause, together with certain suggestions which were made by the Joint Select Committee in their Report, are intended to be incorporated in the Instrument of Instructions, which, together with one or two other Clauses in the Bill, will, it is hoped, effect the desired object.

The general plan is that there shall be no interference, nothing to prevent the Burman Legislature from making suitable laws as to immigration. At the same time it is proposed, as hon. Members will have observed when perusing Clause 332 in the process through which we were passing a few moments ago, that the Governor has in his discretion to give or withhold his sanction when any Bill is introduced in connection with or affecting immigration into Burma. That will be one way in which unfair discrimination, whatever powers the Burman Legislature may have to deal with immigration, may be controlled for the professional or business man who comes from British India or the Indian States. It is also proposed in conformity with the proposals of the Joint Select Committee that there shall be inserted in the Instrument of

[The Attorney-General.]

Instructions a direction to reserve any Bills which contain racial discrimination, and to reserve also Bills which contain restrictions upon professional or business men, who, while India and Burma have been united, have carried on business in either country. It is also hoped that the Governor of Burma will take an opportunity—this is also mentioned in the Instrument of Instructions—to confer with the Government of India with regard to any interference that may be supposed to take place with the legitimate rights of Indians who have occasion to offer their labour in Burma.

Hon. Members may possibly ask why the proposal contained in the Amendment of my Noble Friend the Member for Horsham (Earl Winterton) is not incorporated. If the Committee will be good enough to look at the Amendment—no doubt my Noble Friend will desire to say something about it—they will observe that it is proposed:

“Provided that nothing in this Sub-section shall affect any restriction lawfully imposed of the right of entry into Burma of such Indian subjects of His Majesty domiciled in British India as enter Burma, whether by previous engagement or otherwise, to perform unskilled labour for hire in Burma, not being domestic or menial servants, and members of their families and dependants.”

I understand that the object of my noble Friend is to promote immigration legislation for preventing immigration of persons who go to perform unskilled labour for hire, and not to interfere with the immigration of the much smaller number of people who perform useful functions in the development and the organisation of Burma by the practice of their professions or the conduct of their business. Whatever attractions the Amendment may have, it passes the wit of Parliamentary counsel or draftsmen to devise a phrase or form of words which will do what he intends by using the words “unskilled labour.” It is one thing to indicate a thing informally in a document like an Instrument of Instructions which a Governor has to bear in mind, but it is entirely another thing to put into an Act of Parliament a phrase like “unskilled labour,” which may be called a term of art. Nobody is to know whether a clause aimed at in legislation is the clause that is really indicated. You might say that these might be a particular

group of people, this unskilled labour. On the other hand, it is very difficult to say which class were persons going to engage in unskilled labour. It is essential, having regard to the difficulty of devising suitable words, to leave the matter to be dealt with in the way I have described, giving certain instructions to the Governor, and, for the rest, to provide for it on a mutual basis so that there shall be a right on the part of the Burman Legislature to pass whatever laws they think necessary for controlling immigration. At the same time, we have tried to devise a Clause which will allow free flow between India and Burma, so that subjects of the Indian States, as well as all British subjects domiciled in India, will not be made subjects of any racial or domiciliary discrimination.

9.35 p.m.

Earl WINTERTON: I regret the want of particularity in the wording of my Amendment and the fact that owing to certain circumstances over which I had no control and over which you, Sir Dennis, had no control my Amendment cannot be called because of the Amendment which appears on the Order Paper in front of it in the name of my right hon. Friend. This is a rather important question as I am sure hon. Members opposite will agree. Here we have two conflicting interests. On the one hand those of us who were members either of the Burma Round Table Conference or the Joint Select Committee realise the strength of opinion among the Burmans against unrestricted immigration of Indians into Burma. On the other hand there are considerable Indian trade interests in Burma. On a previous Amendment my right hon. Friend the Member for Hillhead (Sir R. Horne) drew attention to the large number of Indians belonging to widely different communities who are working in Burma under the auspices of the great corporation of which he is the head. Many of these Indians are essential to the enterprise to which my right hon. Friend referred. There is one community in particular in Burma which is sometimes the subject of criticism but which has also been, it is only fair to state, the subject of eulogy by two distinguished Europeans holding high office in Burma, and they are very much concerned about the provision in the Bill, and the Sub-section which the

Government propose to substitute for the existing Sub-section will not abate their apprehensions. As the Attorney-General has referred to my Amendment perhaps I may be allowed to make this rejoinder. I agree with my right hon. and learned Friend that it is very difficult to define "unskilled labour" but what we are seeking to bring about is this. We are willing and so are the Indians concerned—those whom I have been able to consult—that the right should be given to the new Burma legislature to deal with the question of the immigration of manual labour into Burma but we do not think that powers should be given to place restriction upon other Indians coming into Burma. As I understand the rather complicated position if the Sub-section is amended in the way suggested by the Government there will be such restrictions subject only to the reference in the Instrument of Instructions. I must quote what the Joint Select Committee said on that subject. We said:

"The negotiations for a Trade Agreement might also be extended to the regulation of the immigration of Indian labour into Burma for the first few years after separation. . . . The problem is already acute, as the Royal Commission on Labour in India have recorded, and we endorse the opinion expressed by that Commission that the best way of solving the problem is by mutual agreement between the two Governments concerned. But the period immediately after separation is evidently not the most suitable opportunity for negotiating an agreement on a matter which is peculiarly capable of provoking lively animosities, and we are of opinion that, whether or not in direct connection with an agreement to regulate trade relations, at any rate at the same time, an agreement to control the influx of Indian labour into Burma should be concluded between the existing Governments."

It was announced on an earlier Amendment that a tentative agreement had been reached between the two Governments on the subject of fiscal relations. I am sorry that through a misunderstanding as to the time at which this Clause would be taken I did not hear all my right hon. Friend's speech, but I do not think that there was any reference to any agreement between the two Governments on this question. Perhaps my right hon. Friend will correct me if I am wrong.

Sir S. HOARE: Discussions are going on upon this subject as well, and we have every reason to hope that if an agreement is ratified upon the trade side,

an agreement, lasting for the same period, will be ratified on this question.

Earl WINTERTON: If that agreement is reached between the two Governments and is accepted by this House, will it be given legislative effect so that the interests to which I have referred would be protected by Statute?

Sir S. HOARE: My Noble Friend will remember the procedure which is proposed in the Bill. It will come up, not as a Clause in the Bill but as an Order in Council, for Parliamentary sanction when the negotiations are ended. Reference is made to the procedure in Clause 249. The two actual agreements will come up as Orders in Council for Parliamentary sanction later.

Earl WINTERTON: Then I presume, in that case, this Sub-section will be inoperative as far as the apprehensions of these persons are concerned and provided they are satisfied the agreement will be given effect by the Order in Council.

Sir S. HOARE: With this reservation, that the agreement contemplated in the Order in Council is an interim agreement for a limited period of time. During that period the position will be stabilised. Subsequently, the Government of Burma will have to negotiate with the Government of India. You would then have the two autonomous Governments negotiating with each other.

Earl WINTERTON: That statement resolves some of my doubts but I hope my right hon. Friend will give favourable consideration to the point which I have raised and about which I gather other hon. Members are anxious.

9.43 p.m.

Mr. MORGAN JONES: I take it, Sir Dennis, that while you are not calling the Amendment in the name of the Noble Lord the Member for Horsham (Earl Winterton) you will permit discussion upon it in connection with the Government's Amendment.

The CHAIRMAN: The Government Amendment seems to cover the point raised in the Noble Lord's Amendment.

Mr. JONES: Except that the latter Amendment also contains a reference to Sub-section (1).

The CHAIRMAN: It would be quite in order for the Noble Lord to move an Amendment to the Government's Amendment.

Mr. JONES: I only raise the point because I desire to ask a question on Sub-section (1) if it is appropriate to do so at this stage. In the first place, however, I want to be sure that I understand exactly what has been conveyed by the Attorney-General and the Secretary of State. I understand that in future the Burma authorities will not be in a position to say to Indian immigrants, "You are Indians and, therefore, you may not come in here." But they will be in a position to say after negotiations and agreement, "You happen to be unskilled labourers and as such you might become a menace to certain wage standards in this area." So they can take objection, not on grounds of nationality, but on economic grounds. That is the first point. The other point is this, that I am interested to know precisely what is the meaning of that part of the first Sub-section which reads:

"For the purposes of this Sub-section a provision whether of the law of Burma or of the law of the United Kingdom empowering any public authority to impose quarantine regulations, or to exclude or deport individuals wherever domiciled who appear to that authority to be undesirable persons, shall be deemed not to be a restriction on the right of entry."

I wonder what is the power that is sought through the medium of that Sub-section. Is it to be able to exclude anybody, wherever he may come from, whether from the United Kingdom or from India, on the ground that he is an undesirable person in the sense that he entertains ideas that are not acceptable to the Government?

9.47 p.m.

The ATTORNEY-GENERAL: If I may answer the last point first, the proposition that the Government should be prevented from deporting persons whom the Government considers to be undesirable persons is not, I am sure, one that will command any assent from the Committee. If you are giving self-government to Burma or to anywhere else, you must allow them powers to do that of which you might personally disapprove, but which is essential to the exercise of the powers of self-government. The intention of the paragraph to which the hon. Gentleman has called attention is simply to

provide that the Government, in deporting an undesirable person, shall not be treated as coming into conflict with the prohibition against discrimination. That is the only effect of that particular paragraph.

Mr. MORGAN JONES: I am much obliged. I think I can say that we are rather pleased with the explanation which the Attorney-General has given with regard to Sub-section (2).

9.48 p.m.

Mr. ISAAC FOOT: With regard to the Amendment on the Paper in the name of the Noble Lord the Member for Horsham (Earl Winterton), some of us have had the opportunity of representations being made to us by the Burma Indian delegates who are in this country at the present time dealing with this subject, with which they are, of course, very closely concerned. I remember that when the first Burma sub-committee of the first Round Table Conference met, one of the first questions raised there was the apprehension as to the powers of discrimination when the new Government was set up, and I think that, although specific assurances were not given at the time in any document, yet there was a very clear understanding that in the new arrangement discrimination was not likely to arise. A similar understanding existed when the Burma Round Table Conference met. I would like to know if the statement made by the right hon. Gentleman to-day, when he spoke of that five years term, has been considered by those who are speaking for the British Indians. I know, of course, that they naturally have been in touch with the authorities here and have been putting their case before Members of this House as well as before the India Office or the right hon. Gentleman.

I welcomed very much what was said earlier about that five years' period, and I was glad to learn that that period was to apply to immigration as well as to fiscal matters. Has that arrangement with regard to five years met the apprehensions felt by those who are here to speak for their Indian fellow subjects who happen to be in Burma? I am sure that, whatever may be the difficulties of drafting, upon which the Attorney-General dwelt, it would be the desire of all of us that there should be no Clause in the Bill which would cause resentment to

these people. I cannot think of a worse start between these two peoples than the thought that there is a Clause against which there might be a very natural resentment. I agree as to the difficulty of drafting a Clause that would allow Indians to go into Burma as they ought to be going. Generally speaking, one wants to see a full interflow of thought between the two countries, and the more the Indians visit Burma and the Burmans visit India, the better it will be. In the meantime, of course, there is the feeling as to keeping out those who have been brought in to do labour and who may be undercutting the Burmans themselves. Can we have any information as to the extent to which the five years' term of which we have heard to-day has met some of the apprehensions upon which the Noble Lord dwelt?

9.52 p.m.

Sir S. HOARE: I had the pleasure of a long discussion with the Indian representatives who are in London in connection with these questions, and I think I was able—at least, I hope I was able—to remove some of their anxieties. They were anxious to have a safeguard set down in statutory form rather on the lines of my Noble Friend's Amendment. I think I was able to convince them that it was almost impossible to do that, and that the best way of meeting their anxieties was to adopt the method of the Instrument of Instructions. As to the period of time, I think, to be frank with the Committee, I should admit that they would have liked the period of time to be a period, not of short duration, but of long duration.

Mr. ISAAC FOOT: Longer than five years?

Sir S. HOARE: I think they would have liked it to go on for ever. I hope I was able to convince them that that, in the circumstances, was impossible, and that if you are setting up an autonomous Government for Burma, you cannot tie the hands of that Government for more than an interim period. As to the actual length of the interim period, I do not think we got into any detailed discussion, but I can assure the hon. Member that it was a great relief, so far as I could gather, for the Indian representatives to know that we were dealing with the matter on these lines, even though we did

not go the full length that they would desire us to go.

Amendment agreed to.

Clause, as amended, ordered to stand part of the Bill.

CLAUSE 341.—(*Provisions as to taxation.*)

Amendments made: In page 199, line 14, leave out from "or," to "British," and insert:

"India or subjects of any Indian State, or against companies incorporated whether before or after the passing of this Act by or under the laws of the United Kingdom or."

In line 17, at the end, add:

"(2) Without prejudice to the generality of the foregoing provisions a law shall be deemed to be such as to discriminate against such persons or companies as aforesaid if it would result in any of them being liable to greater taxation than that to which they would have been liable if they were domiciled in Burma or incorporated by or under the laws of Burma, as the case may be."—*[Sir S. Hoare.]*

Clause, as amended, ordered to stand part of the Bill.

CLAUSE 342.—(*Companies.*)

Amendments made: In page 199, line 22, leave out from "the," to "shall," in line 23, and insert:

"holders of its shares, debentures, debenture stock, or bonds, and its officers, agents, and servants."

In line 25, leave out "trading," and insert "carrying on business."

In line 31, leave out "its shareholders," and insert:

"holders of its shares, debentures, debenture stock, or bonds, or of its."

In line 36, leave out "law," and insert "laws."

In line 38, at the end, insert:

"(2) If and in so far as any total or partial exemption from taxation imposed on companies by or under any law of Burma depends on compliance with conditions as to any of the matters mentioned in paragraph (b) of the last preceding Sub-section, any company incorporated by or under the laws of the United Kingdom and carrying on business in Burma shall be deemed to satisfy those conditions and be entitled to the exemption accordingly, so long as the taxation imposed by or under the laws of the United Kingdom on companies incorporated by or under the laws of Burma and carrying on business in the United Kingdom does not depend on compliance with conditions as to any of the matters so mentioned."

"(3) The provisions of the two last preceding Sub-sections shall apply in relation

to companies incorporated by or under the laws of British India as they apply in relation to companies incorporated by or under the laws of the United Kingdom, with the substitution for references to the United Kingdom of references to British India."

In page 200, line 7, leave out "its shareholders," and insert:

"holders of its shares, debentures, debenture stock or bonds, or of its."

In line 15, leave out "Burman subjects of His Majesty," and insert "British subjects."

In line 15, at end, insert:

"(3) If and in so far as, in the case of any such companies as are mentioned in the last preceding Sub-section, any total or partial exemption from taxation imposed by or under any law of Burma depends on compliance with conditions as to any of the matters so mentioned, then, as regards such of the members of its governing body and such of the holders of its shares, debentures, debenture stock or bonds, and such of its officers, agents, or servants as are British subjects domiciled in the United Kingdom, any such company shall be deemed to satisfy those conditions and be entitled to the exemption accordingly so long as the taxation imposed by or under the laws of the United Kingdom on companies incorporated by or under those laws does not as regards such of the members of a company's governing body or such of the holders of its shares, debentures, debenture stock or bonds, or such of its officers, agents, or servants as are British subjects domiciled in Burma depend on compliance with conditions as to any of the matters so mentioned.

(4) The provisions of the two last preceding Sub-sections shall apply in relation to British subjects domiciled in British India and to subjects of any Indian State as they apply in relation to British subjects domiciled in the United Kingdom, with the substitution for references to the United Kingdom of references to British India or that Indian State, as the case may be."

In line 16, leave out Sub-section (3).—*[Sir S. Hoare.]*

Motion made and question, "That the Clause, as amended, stand part of the Bill," put, and agreed to.

Captain CAZALET: May I ask a question on this Clause?

The CHAIRMAN: The hon. Member is too late. I had collected the voices.

Captain CAZALET: I thought I had risen while you were doing so.

The CHAIRMAN: I am afraid that the hon. Member was not here when I warned the Committee that these were

repetition Clauses, and that hon. Members must take care to attract the notice of the Chair. Having got so far and actually collected the voices, I cannot go back.

CLAUSE 343.—(Reciprocal treatment of ships.)

Amendments made: In page 200, line 25, leave out "directly or indirectly."

In line 38, at the end, insert:

"(3) This Section shall apply in relation to aircraft as it applies in relation to ships."
—*[Sir S. Hoare.]*

Clause, as amended, ordered to stand part of the Bill.

CLAUSE 344.—(Subsidies for the encouragement of trade or industry.)

Two consequential Amendments made.

Clause, as amended, ordered to stand part of the Bill.

CLAUSE 345.—(Power to secure reciprocal treatment by convention.)

Four consequential Amendments made.

Clause, as amended, ordered to stand part of the Bill.

CLAUSE 346.—(Professional qualifications in general.)

Sir S. HOARE: I beg to move, in page 203, line 2, to leave out from "prescribe," to the end of the Clause, and to add:

"conditions as to professional or technical qualifications shall have effect so as to preclude any person who immediately before the coming into operation of any conditions so prescribed was lawfully practising any profession, carrying on any business, or holding any office in Burma from continuing to practise that profession, carry on that business, or hold that office, or from doing anything in the course of that profession or business, or in the discharge of the duties of that office, which he could lawfully have done if those conditions had not come into operation.

(2) No Bill or Amendment which prescribes or empowers any authority to prescribe the professional or technical qualifications which are to be requisite for any purpose in Burma shall be introduced or moved in either Chamber of the Legislature without the previous sanction of the Governor in his discretion."

10.0 p.m.

Earl WINTERTON: I was sorry to rise before you finished reading the Amendment, Sir Dennis, but I did not want to meet the fate of my hon. and gallant Friend. I only want to ask whether these

words are purely drafting, because they appear to me to make a considerable difference.

The ATTORNEY-GENERAL: My hon. Friend the Member for Doncaster (Mr. Molson) moved a long Amendment which included three Sub-sections on Clause 111 in the India part of the Bill. I accepted two of the Sub-sections and moved as an Amendment to the Amendment to leave out the third. The present Amendment is a repetition for the Burma section of the two Sub-sections which I accepted on the India portion.

The CHAIRMAN: I ought to tell the Noble Lord that I have warned hon. Members that they must not only rise, but call out in their places if they wish to ask a question on any of these Clauses.

Amendment agreed to.

Clause, as amended, ordered to stand part of the Bill.

Clause 347.—(*Medical qualifications.*)

Consequential Amendment made.

10.2 p.m.

The ATTORNEY-GENERAL: I beg to move, in page 204, line 20, after "in" insert "British."

This is not a drafting or repetition Amendment. We are proposing to put in British so as to make the Clause refer to British Burma for the reason that there are no examinations for the granting of medical diplomas which could be recognised by the General Medical Council for the purpose of this Clause.

Mr. KIRKPATRICK: With regard to the words "British subjects domiciled in Burma," are there any states in Burma equivalent to the Indian States, that is to say, political States?

Sir S. HOARE: No.

Amendment agreed to.

Further Amendment made: In page 204, line 23, leave out "a qualified medical practitioner," and insert "qualified medical practitioners."—[*Sir S. Hoare.*]

Four consequential Amendments made.

Motion made, and Question proposed, "That the Clause, as amended, stand part of the Bill."

10.4 p.m.

Dr. O'DONOVAN: Perhaps I may ask herc, though the pace of our progress is swift and confusing, if this Clause per-

mits the setting up of an independent Burmese Medical Register; and, if so, will it be possible for full and satisfying reciprocal arrangements to be made for registration and its privileges with the qualifying authorities here and in Southern Ireland?

10.5 p.m.

The ATTORNEY-GENERAL: The question of reciprocity must depend on the nature of the qualifications which are required for medical practitioners who obtain their qualifications in Burma. So far as the Irish Free State is concerned—and when the hon. Gentleman speaks of Ireland I suppose he means the Irish Free State—I am afraid that I cannot give any answer.

Question put, and agreed to.

Clauses 348 to 351 ordered to stand part of the Bill.

CLAUSE 352.—(*Duty of the Government of Burma to keep Secretary of State supplied with funds.*)

Amendment made: In page 206, line 26, at the end, add:

"(2) Without prejudice to their obligations under the preceding sub-section, the Government of Burma shall secure that there are from time to time in the hands of the Secretary of State, or such person as he may appoint, sufficient moneys to enable payment to be made of all pensions payable in the United Kingdom out of the revenues of Burma."—[*Sir S. Hoare.*]

Clause, as amended, ordered to stand part of the Bill.

CLAUSE 353.—(*Annual financial statement.*)

Amendment made: In page 208, line 3, at the end, insert:

"(g) any sums required to enable the Governor to pay such pensions and allowances as he in his discretion may deem suitable to members of the family or servants of any former Ruler of any territories in Burma."—[*Sir S. Hoare.*]

Clause, as amended, ordered to stand part of the Bill.

Clauses 354 to 356 ordered to stand part of the Bill.

CLAUSE 357.—(*Special provisions as to financial Bills.*)

Amendment made: In page 209, line 27, leave out "impost, whether local or general: or,"—[*Sir S. Hoare.*]

Clause, as amended, ordered to stand part of the Bill.

CLAUSE 358.—(*Borrowing powers and existing loans.*)

Amendments made: In page 210, line 12, after "limits," insert "if any."

In line 14, after "limits," insert "if any."—[*Sir S. Hoare.*]

Clause, as amended, ordered to stand part of the Bill.

Clauses 359 to 361 ordered to stand part of the Bill.

CLAUSE 362.—(*Provisions as to the Federated Shan States.*)

10.10 p.m.

Mr. BUTLER: I beg to move, in page 212, line 29, after "provision," to insert: "(including provision with respect to borrowing)."

It may be convenient if I give a word of explanation. This Clause has to do with financial provisions for the Federated Shan States, and the object of the first Amendment is to enable the Governor in his discretion to borrow on the revenues of the Federation of the Shan States. The object of the second Amendment is to keep the domestic budgetary arrangements of the Shan States from the actual scrutiny of the Burma Legislature. The Shan States are British territory, but they are administered on the basis of the local administration by the Sawbwas or Chiefs of the Shan States and it is thought desirable that the internal budgetary arrangements which arise from the money derived from royalties from the forests and so forth should be continued within the Shan States themselves and their own domestic budgetary arrangements. The Shan Sawbwas attach special importance to the fact that these budgetary arrangements should be kept an internal matter. The second Amendment keeps the situation clear, as it is at the present time.

10.12 p.m.

Earl WINTERTON: I do not know whether it would be better on this Amendment, or on one which I think is to be moved from the opposite side of the Committee, to raise the whole question of the Shan States. I do not suggest that we should have a long discussion, but some of us wish to ask several questions about the Shan States. Perhaps it would be better to raise the question on the Motion that the Clause stand part. Perhaps you, Sir Dennis, would allow a certain latitude roughly analogous to that

allowed on the whole question of Burma on this question of the Shan States.

The CHAIRMAN: I think this does cover the position of the Shan States generally.

Amendment agreed to.

Further Amendment made: In page 212, line 32, leave out Sub-section (3) and insert:

"(3) Any payments to be made under paragraph (b) of the last preceding Sub-section shall be charged on the revenues of Burma, and the amounts thereof and of any payments to be made under paragraph (c) of the said Sub-section shall be shown in the financial statements required by this chapter to be laid before the Burma Legislature but, save as aforesaid, nothing in this Part of this Act shall be construed as requiring any statement of payments into or out of the Federal Fund to be laid before that Legislature."—[*Sir S. Hoare.*]

Motion made, and Question proposed, "That the Clause, as amended, stand part of the Bill."

10.14 p.m.

Mr. MORGAN JONES: The Committee has made much more rapid progress than I had anticipated, and I confess that I am not as amply prepared as I would like to be in submitting reasons against the passing of this Clause, but I can explain briefly what we feel about the matter. This is a sort of equivalent to the reserved areas which we have already passed in relation to India, and we have a feeling that the reserved areas are far too extensive for the Government to reserve in the way they are being reserved. I speak subject to correction, but I believe these are areas which possess enormous potential wealth; and I believe they are areas in which British commercial and economic interests have made substantial penetration. We would like to see something in this Clause whereby this reservation of the Federated Shan States should be limited to a certain period of time. I dare say the Government would be able to argue that there are certain reasons against this because of the comparative unpreparedness for self-government of these States in relation to other parts of India. That may be the case, but that does not dispose of the point I am making. There are areas, so I understand, where there is vast potential wealth, and this vast potential wealth ought not, in our judgment, to be

reserved in the sense in which it is being reserved in this Clause, but should be made available for the better development of the whole territory of Burma. I apologise to the Committee for having put the argument so briefly and inadequately, but we have traversed a great deal of ground to-night, and I confess that I am not prepared to deal with the matter more fully than I have done. I have indicated our general attitude to this Clause.

10.15 p.m.

Earl WINTERTON: I also was not aware that this Clause was to be taken now. I had intended preparing some observations on the Shan States, in which I take a considerable amount of interest, being a personal friend of one or two of the Sawbwas, the rulers of those States. It is only necessary to make a brief reply to the hon. Member. No one would object to the manner in which he put his case, but there is, so far as can be judged, not the slightest desire on the part of the rulers or, what is more important from the point of view of hon. Members opposite, on the part of the ruled in these Shan States, to be included in either the present British Burma or the new unit which is to be created. These rulers have not the status of the feudatory Princes of India. It is giving away no secret which should not be disclosed, I think, to say that on several occasions they have made tentative proposals to the appropriate authorities praying that they might be given the privileges and prerogatives of the Indian States' rulers, but those have never been granted.

Though I have never had the privilege of visiting the Shan States I think it is true to say that, on the whole, the rulers and the people live there in a happy, patriarchal relationship. They are very remote from most parts of British Burma. There is very little inter-relationship between the two. It is true, as the hon. Member pointed out, that there is great potential wealth in that part of the country, but that hardly seems to me to be a reason for allowing the new Burma or, for the matter of that, the Burma that exists, to control that area. I hardly know how to put it without making invidious comparisons, but I do not think hon. and right hon. Gentlemen opposite could object to the conditions there as

they might, holding the views they do, object to the conditions in the States in British India. The relationship between the rulers and the ruled is of a different character. These States are remote, they are, I believe, very beautiful, and though there is a great deal to be done there in the way of improvements to health services, for example, because the tuberculosis death rate is very high, yet the people are happy and contented. I should think it is true to say that the majority of them are in blissful ignorance of the fact that the Bill is before the House, and that if we were to speak to the "man in the street" or the man in the village there he would say "Thank Heaven that is so."

10.17 p.m.

Sir S. HOARE: I think there may be some confusion behind this Amendment. We are not dealing with an excluded area. The Federation of the Shan States is not an excluded area at all in the ordinary sense. It is a little confederation running its own affairs, not unsatisfactorily. The Sawbwas themselves are very anxious to go on as they are going on now, and as far as I remember no objection was raised, at any rate no strong objection, by the delegates from the other parts of Burma. It was agreed that this little confederation should be allowed to go on running its own affairs, and I think my hon. Friend the Member for the English Universities (Sir R. Craddock) ought to be proud of the fact that he had a great deal to do with starting it.

10.18 p.m.

Captain CAZALET: My brief visit to that part of the world led me to the conclusion that these States form one of the most happy and contented communities in the whole of the British Empire. They have no desire whatever to come under the Government of Burma, and are very anxious, indeed, to remain in the same position with reference to the Governor as they are to-day. I would like to ask how it is intended that the Governor should administer this area. Does he administer it through a specially appointed officer, or can he nominate any member to look after the affairs of this particular area?

Sir S. HOARE: He would have a commissioner for the purpose.

10.19 p.m.

Sir R. CRADDOCK: I naturally take considerable interest in the Shan States, because when I went to Burma I found there an extraordinary anomaly such as one does not get in India, that is to say that the Shan States were definitely British India and that the chiefs and their subjects were British subjects but that, on the other hand, they exercised powers such as were not always given to some of the chiefs in India. They had, for example, almost powers of life and death, subject to the concurrence of the superintendent, who was the political officer, in a death sentence in murder cases, and a convicted man could petition the Lieut.-Governor for mercy. But they had, as I say, power such as a good many of the chiefs in India had not, and at the same time they were still British subjects and not independent rulers. The trouble about them was that it was never very clear whether they were entitled to share the ordinary revenues of Burma for the development of their States, and that it was very difficult to administer them singly and separately without either drawing upon the funds of Burma or of relying for improvements like roads upon the chiefs for funds, simply because there could not be agreement among the various chiefs through whose territories those roads ran.

It occurred to me that the only thing to do was to secure a federation of those chiefs, and to make them as soon as possible financially solvent for the running of their own affairs. I may mention that Siam was originally the greatest of the Shan States. The Shan language is very much akin to the Siamese language, and a Shan and a Siamese can carry on a conversation together. It is very difficult in pronunciation. Tiny differences between apparently identical words carry totally different meanings. There was a British officer who intended to ask a Shan a polite question about the condition of his crops, but he pronounced the words in such a way that it appeared to the Shan to be an inquisitive remark about the health of his wife. There are amusing things of that sort in Burmese where they have a word "Kyaung," which may mean either a monastery, a cat, or a stream; it all depends upon how you pronounce it. I could never see any difference between them.

The trouble was to get the chiefs together. It was difficult, because they enjoyed their own income themselves, and there was no common fund which could be applied for this purpose. It took some time to bring about agreement, but an agreement was arranged by which they paid 50 per cent. of their current revenue into a pool and that pool was used for purposes like education, wherever there were schools, and roads and other public purposes which were common to the States as a whole. Having got the Federation, it appeared to me that it would be extremely desirable that it should be free from the interference of Burma. I may mention that the Shans of Burma are a comparatively sparse population, because the Shan States are a relic of the days when the Burmans invaded that territory with fire and sword and general destruction. It is a country with fairly good resources, both as regards timber and minerals, although it is not at all certain that more minerals could be discovered. It is a corner of Burma which is very quiet. The Shan chiefs manage their subjects very well. They certainly never want to be in Burma again, because they very much prefer their own group. It is a good arrangement, and they are a separate race from the Burmans. They ought to be tolerably solvent. The arrangements made have been approved by the chiefs.

10.25 p.m.

Mr. MANDER: This is my first intervention during the Debates on the Government of India Bill, and in all probability it will be my last. I also happen to have friendships among the Sawbwas of the Shan States, and I have certain interests there which enable me to appreciate the local situation. I quite agree that the situation is satisfactory, and ought not to be disturbed. I agree that the Sawbwas are well content with the present administration, and do not want it altered. I do not know whether the ruled are equally content; indeed, I do not suppose that they know anything about it; but I think we are safe in assuming, having regard to analogous conditions in other parts of the world, that they are in quite an enviable position. I venture to hope, therefore, that the proposals of the Government in this regard will be allowed to go forward.

Question, "That the Clause, as amended, stand part of the Bill," put, and agreed to.

CLAUSE 363.—(*Executive authority in respect of railways to be exercised by Railway Board.*)

Amendment made: In page 213, line 6, at the end, add:

"(2) Notwithstanding anything in this section the Government and its officers shall perform such functions for securing safety on railways as in the opinion of the Government should be performed by persons independent of the Board."—[*Sir S. Hoare.*]

Clause, as amended, ordered to stand part of the Bill.

CLAUSE 364.—(*Composition, etc., of Board.*)

Amendment made: In page 213, line 10, leave out "Board," and insert "railways."—[*Sir S. Hoare.*]

Clause, as amended, ordered to stand part of the Bill.

Clauses 365 and 366 ordered to stand part of the Bill.

CLAUSE 367.—(*Acquisition and sale of land by, and contracts and liabilities of, the Board.*)

Amendment made: In page 215, leave out lines 20 to 25.—[*Sir S. Hoare.*]

Clause, as amended, ordered to stand part of the Bill.

Clause 368 ordered to stand part of the Bill.

CLAUSE 369.—(*Provisions as to certain obligations of the Railway Board.*)

Amendment made: In page 217, line 3, at the end, insert:

"For the purposes of this sub-section, where the Secretary of State in Council has assumed or incurred any obligation in connection with railways in Burma he shall be deemed to have provided for the said purposes an amount equal to the capital value of that obligation as shown in the accounts of the Government of India immediately before the commencement of this Part of this Act.

Nothing in this sub-section shall be construed as preventing the Board from making payments to the Government of Burma in reduction of the principal of any such amount as aforesaid out of moneys other than receipts on revenue account."—[*Sir S. Hoare.*]

Clause, as amended, ordered to stand part of the Bill.

Clause 370 ordered to stand part of the Bill.

CLAUSE 371.—(*Special provisions as to certain funds.*)

Amendments made:

In page 217, line 28, leave out "sub-section," and insert "section."

In line 35, leave out the first "funds." and insert "fund."—[*Sir S. Hoare.*]

Two consequential Amendments made.

Clause, as amended, ordered to stand part of the Bill.

Clauses 372 to 374 ordered to stand part of the Bill.

CLAUSE 375.—(*Constitution of High Court.*)

Amendment made: In page 219, line 15, leave out "a pleader," and insert "an advocate."—[*Sir S. Hoare.*]

Two consequential Amendments made.

Motion made, and Question proposed, "That the Clause, as amended, stand part of the Bill."

10.30 p.m.

Mr. ISAAC FOOT: I should like to ask whether any representations have been made with regard to the question of the Chief Justice. The question was raised as to whether the Chief Justice could be a civil servant as well as a judge. I do not know whether the Clause has been dealt with. I hoped that Amendments would have been made. We are further on than I thought we should be.

The SOLICITOR-GENERAL (Sir Donald Somervell): The undertaking which we gave to consider the question in regard to the Chief Justice, will also apply to the corresponding questions.

Mr. FOOT: We shall deal with it on the Report stage?

The SOLICITOR-GENERAL: Yes.

Mr. FOOT: It was from the Burma British Association that representations were made.

Question put, and agreed to.

Clauses 376 and 377 ordered to stand part of the Bill.

CLAUSE 378.—(*Jurisdiction of High Court.*)

Amendment made: In page 220, line 31, after the first "Act," insert:

"to the provisions of any Order in Council made under this or any other Act."—[*Mr. Butler.*]

Clause, as amended, ordered to stand part of the Bill.

Clauses 379 to 391 ordered to stand part of the Bill.

CLAUSE 392.—(*Recruitment and conditions of service.*)

Amendment made: In page 224, line 39, at the end, insert:

"Provided that it shall not be necessary to make rules regulating the conditions of service of persons appointed temporarily on the terms that their employment may be terminated on one month's notice or less, and nothing in this Sub-section shall be construed as requiring the rules regulating the conditions of service of any class of persons to extend to any matter which appears to the rule-making authority to be a matter not suitable for regulation by rule in the case of that class."—[*Mr. Butler.*]

Clause, as amended, ordered to stand part of the Bill.

Clauses 393 and 394 ordered to stand part of the Bill.

CLAUSE 395.—(*Services recruited by the Secretary of State.*)

Amendments made: In page 227, line 13, leave out "the Indian Medical Service (Civil)."

In line 16, leave out "the Burma Medical Service (Class I)."—[*Mr. Butler.*]

Clause, as amended, ordered to stand part of the Bill.

Clause 396 ordered to stand part of the Bill.

CLAUSE 397.—(*Reserved posts.*)

Amendments made: In page 228, line 6, leave out "are normally," and insert "subject to the provisions of this Sub-section, are."

In line 16, after "Appointments," insert "and postings."—[*Mr. Butler.*]

Clause, as amended, ordered to stand part of the Bill.

CLAUSE 398.—(*Conditions of service, pensions, etc., of persons recruited by Secretary of State.*)

Amendment made: In page 229, line 8, after "of," insert "any such person as aforesaid."—[*Mr. Butler.*]

Clause, as amended, ordered to stand part of the Bill.

Clauses 399 and 400 ordered to stand part of the Bill.

CLAUSE 401.—(*Application of four last preceding sections to persons appointed by Secretary of State in Council, persons holding reserved posts and commissioned officers in civil employment.*)

Amendment made: In page 231, line 36, at the end, insert:

"(5) Any liability of the Government of Burma to or in respect of any person appointed before the commencement of this Part of this Act to a civil service of or a civil post under the Crown in Burma, being a liability to pay a pension granted to or in respect of any such person as aforesaid or any other liability of such a nature as to have been enforceable in legal proceedings against the Secretary of State in Council if this Act had not been passed shall, notwithstanding anything in this Part of this Act, be deemed, for the purposes of the provisions of Chapter X of this Part of this Act relating to legal proceedings, to be a liability arising under a statute passed before the commencement of this Part of this Act."—[*Mr. Butler.*]

Clause, as amended, ordered to stand part of the Bill.

CLAUSE 402.—(*Judges of the High Court.*)

Amendment made: In page 232, line 19, at the end, add:

"(2) Any liability of the Government of Burma to, or in respect of, any person who is at the commencement of this Part of this Act a judge of the High Court, being a liability to pay a pension granted to or in respect of any such person as aforesaid or any other liability of such a nature as to have been enforceable in legal proceedings against the Secretary of State in Council if this Act has not been passed, shall, notwithstanding anything in this Part of this Act, be deemed for the purposes of the provisions of Chapter X of this Part of this Act relating to legal proceedings to be a liability arising under a statute passed before the commencement of this Part of this Act."—[*Sir S. Hoare.*]

Clause, as amended, ordered to stand part of the Bill.

CLAUSE 403.—(*District judges, etc.*)

Consequential Amendment made.

Clause, as amended, ordered to stand part of the Bill.

CLAUSE 404.—(*Subordinate civil judicial service.*)

Mr. BUTLER: I beg to move, in page 233, line 20, at the end, to add:

"In this Sub-section the expression 'promotion' does not include promotion from one service to another."

The CHAIRMAN: I understand that this does not affect India.

Mr. BUTLER: By the wording of Sub-section (3) of the Clause as it stands without the saving paragraph, promotion from one of these two services to the other might be regarded as falling to the High Court, and these words are inserted in order to fulfil our intention that the High Court shall be responsible only for promotion for such selection posts as there may be within the subordinate services.

Amendment agreed to.

Clause, as amended, ordered to stand part of the Bill.

CLAUSE 405.—*(Subordinate criminal magistracy.)*

Amendment made: In page 233, line 23, after "to," insert:

"or the withdrawal of any magisterial powers from."—[*Sir S. Hoare.*]

Clause, as amended, ordered to stand part of the Bill.

Clause 406 ordered to stand part of the Bill.

CLAUSE 407.—*(Provision for protection of existing officers of "Central Services Classes I and II" and "Provincial Services.")*

Amendments made: In page 234, line 6, after "Class II," insert "a Railway Service Class I, a Railway Service Class II."

In line 14, after "Class I," insert "a Railway Service Class I."—[*Sir S. Hoare.*]

Clause, as amended, ordered to stand part of the Bill.

Clause 408 ordered to stand part of the Bill.

CLAUSE 409.—*(Provision as to other persons retiring before commencement of this Part of this Act.)*

Amendment made: In page 235, line 2, leave out "retired from a civil service of or a civil post under," and insert:

"having been appointed to a civil service of, or a civil post under the Crown in Burma, retired from the service of."—[*Sir S. Hoare.*]

Clause, as amended, ordered to stand part of the Bill.

Clauses 410 to 412 ordered to stand part of the Bill.

CLAUSE 413.—*(Composition, staff and expenses of Public Service Commission.)*

Amendment made: In page 236, line 12, at the end, insert:

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"Provided that at least one-half of the members of the Public Service Commission shall be persons who, at the dates of their respective appointments, have held office for at least ten years under the Crown in Burma or India."—[*Sir S. Hoare.*]

Clause, as amended, ordered to stand part of the Bill.

Clauses 414 and 415 ordered to stand part of the Bill.

CLAUSE 416.—*(Provisions as to chaplains.)*

Amendment made: In page 238, line 20, leave out "and" and insert "or."—[*Sir S. Hoare.*]

Clause, as amended, ordered to stand part of the Bill.

Clause 417 ordered to stand part of the Bill.

CLAUSE 418.—*(Exemption of pensions from taxation in Burma.)*

Amendments made: In page 239, line 16, after "shall," insert:

"if the person to whom the pension is payable is residing permanently outside Burma, be paid on behalf of the Government of Burma by, or in accordance with arrangements made with, the Secretary of State and."

In line 18, leave out from "Legislature," to end of Clause.—[*Sir S. Hoare.*]

Clause, as amended, ordered to stand part of the Bill.

Clause 419 ordered to stand part of the Bill.

CLAUSE 420.—*(Interpretation, etc.)*

Amendments made: In page 239, line 31, after "II," insert "Railway Service Class I, Railway Service Class II."

In line 34, leave out from "Act," to "the," in line 36, and insert "so described respectively in."

In page 240, line 1, leave out sub-section (2).—[*Sir S. Hoare.*]

Clause, as amended, ordered to stand part of the Bill.

Clauses 421 to 423 ordered to stand part of the Bill.

CLAUSE 424.—*(Rights and liabilities of Secretary of State in Council.)*

Amendment made: In page 242, line 38, leave out from "as," to end of Clause, and add:

"applying in relation to any liabilities which are by this Act made liabilities of the revenues of the Federation."—[*Sir S. Hoare.*]

Clause, as amended, ordered to stand part of the Bill.

Clause 425 ordered to stand part of the Bill.

CLAUSE 426.—(*Provisions as to Customs duties, etc.*)

10.43 p.m.

Mr. HAMMERSLEY: I beg to move in page 243, line 22, at the end, to add:

"Provided that the rate of duty imposed on goods imported from Great Britain shall not exceed the rate of duty imposed on similar goods imported from any other country."

Quite apart from the merits of this Amendment I feel sure that from the high speed at which we have been getting through the Bill you must, Mr. Chairman, feel that you should have a few moments rest. The Amendment needs no elaborate explanation to make its meaning clear; nor will it require prolonged argument I hope to commend it to the Committee. The Clause proposes that His Majesty by Order in Council shall give directions in respect of the imposition of customs duties, and the Amendment is to ensure that import duties levied on goods from Great Britain should not be any greater rate than the import duties on similar goods imported from any other country. It in fact means that we are seeking to insist that whatever is done in respect of the import duties in Burma we should have what is in effect the most favoured nation treatment for Great Britain. The Amendment does not in any way seek to interfere with any arrangement which may be made between India and Burma in respect of the special conditions which exist, but it says that whatever special facilities Burma gives to India the same facilities shall be given to this country. It indicates that it is the duty of the new senate of Burma to fix its own import duties in accordance with its own needs and not accept at the dictation of India, a rate of duty which is required entirely for the needs of the people of India and which has no relation to the needs of the people of Burma. I feel sure that the principle is one which must commend itself to the Committee. The Amendment will do one simple thing: It will prevent discrimination against the United Kingdom.

10.46 p.m.

Sir S. HOARE: I had hoped that we had dealt with this question in an earlier Debate. I am afraid that if we accepted the Amendment we should make it quite impossible for this interim agreement to be made at all. The basis of the agreement is the *status quo* between India and Burma. If we attempted to make a change of this kind, and a very substantial change, in the Burma tariff on imported goods, the effect would be inevitably that India would refuse to make this agreement. I must, therefore, regretfully tell my hon. Friend that we cannot accept the Amendment. That does not mean at all that we are not most anxious to take the fullest possible facilities for British trade in the Burma market. We shall succeed much better in achieving that object, however, if we allow this interim agreement to remain between Burma and India for a limited period, and if we do not prejudice the position by attempting to impose upon Burma and India a new condition that inevitably will have the result of making it much more difficult for us to obtain good terms for British imports when we come, as I hope we shall come at no distant date, to negotiate a trade treaty between Burma and Great Britain.

10.48 p.m.

Mr. AMERY: I think the argument of the Secretary of State is perfectly valid as regards the period of the interim arrangement between India and Burma. But let me say a few words about the suggestion and the general principle applied to inter-Imperial relations. What has in fact been advocated is the most-favoured-nation principle applied to Inter-Imperial trade. Our experience in recent years of the most-favoured-nation clause in relation to foreign countries and as among foreign countries, is that, so far from promoting freer trade, it has been a very serious obstacle to the promotion of freer trade. It means that when you concede something you are conceding far more than you realise, and you are getting far less in return, and the whole tendency between the nations is to sit back in the hope that someone else will give a concession and that they will get an advantage for nothing. We have very wisely, in inter-Imperial relations so far, definitely refused to accept the most-favoured-nation principle. There was no such principle at Ottawa.

There is nothing to prevent this country from making a special arrangement with any one Dominion, giving greater favour to that Dominion than to another; and indeed among themselves the Dominions give to one Dominion greater preference than to another, and in one or two cases greater preference than they give to this country. I believe that, on the whole, the principle of strictly bilateral bargaining makes for greater advances in inter-Imperial trade, and, therefore, on general grounds as well as on specific grounds, I hope the Secretary of State will stick to his decision not to accept this Amendment.

10.50 p.m.

Sir JOHN HASLAM: It is the first time I have spoken on this Bill, though I have sat here for hours, but on so vital a matter to the county from which I come, I cannot sit silent. I think no one has rendered more faithful service in support of this Bill than the representatives from Lancashire, though there have been great temptations—in fact provocations—to do otherwise, and in a matter of this sort they ought to have consideration. I have always been one who thought that the Dominions and Colonies must be governed in the interests of the governed, though we seem to be governed in this country in the interests of far-off Colonies and Dominions. I do think that charity should begin at home, and that we should have some consideration in matters of this sort. Ever since the Ottawa Agreement we have been giving enormous advantages to these States and appear to have been receiving very little in return. It may not be statesmanship to put this into operation during the interregnum, but we should have a right to say something after the interim period has expired. I do hope that the interim period will not be extended to five years, because Lancashire can very little afford to wait five months, much less five years. I do wish the Cabinet could meet in Lancashire to see the real conditions for themselves, for then we might have a Minister attending to the sole needs of Lancashire, and we should be much better off than we are to-day. I do not want to delay the proceedings, but I do appeal to the Secretary of State to grant whatever powers he can in this direction, to ensure that British trade gets fair treatment whenever the interim period expires, and to

use whatever powers he has to see that that period is not unduly prolonged.

Amendment negatived.

Clause ordered to stand part of the Bill.

Clause 427 ordered to stand part of the Bill.

CLAUSE 428.—(*Provisions as to monetary system.*)

Amendments made: In page 243, line 29, leave out the second “and,” and insert “or.”

In line 31, leave out “provisions,” and insert “provision.”—[*Sir S. Hoare.*]

Clause, as amended, ordered to stand part of the Bill.

Clauses 429 and 430 ordered to stand part of the Bill.

CLAUSE 431.—(*Advisers to Secretary of State.*)

Amendment made: In page 246, line 20, at the end, add:

“or if such notice and opportunity for objection as may be prescribed has been given to those advisers and none of them has required that a meeting shall be held for discussion on the matter.”

In this Sub-section ‘prescribed’ means prescribed by rules of business made by the Secretary of State after obtaining at a meeting of the advisers the concurrence of at least one-half of those present at the meeting.”—[*Sir S. Hoare.*]

Clause, as amended, ordered to stand part of the Bill.

Clauses 432 to 434 ordered to stand part of the Bill.

CLAUSE 435.—(*Persons not to be subjected to disability by reason of race, religion, &c.*)

Amendments made: In page 247, line 14, after “land,” insert “situate.”

In line 14, leave out “to any person not,” and insert “and owned by a person.”

In line 17, after “area,” insert “to any person not belonging to any such class.”—[*Sir S. Hoare.*]

Motion made, and Question proposed, “That the Clause, as amended, stand part of the Bill.”

10.56 p.m.

Mr. KIRKPATRICK: I have an Amendment on the Paper to this Clause which has not been called, and I wish to point out that Sub-section (2) is

[Mr. Kirkpatrick.] apparently intended to check to some extent the right of any landowner to sale or mortgage his land. I suggest that the Sub-section is framed in terms which are too comprehensive.

The CHAIRMAN: I do not know whether the hon. Member realises it or not but he is raising a point which was debated on the corresponding Clause in the India part of the Bill and that is why his Amendment was not selected.

Mr. KIRKPATRICK: Speaking on the Question, "That the Clause stand part of the Bill," I only wish to point out that the purpose of my Amendment was to safeguard *bona fide* sales and mortgages entered into before any such—

The CHAIRMAN: I must point out that there is an agreement that matters which have been settled on the India Clauses of the Bill are not to be further discussed on the Burma Clauses, unless there is some difference in regard to them as between Burma and India.

Mr. KIRKPATRICK: I raised this point on Clause 279 in the India part of the Bill, and it was suggested that I might bring it up again on this Clause, because the application is different in Burma from what it is in India.

10.58 p.m.

Mr. BUTLER: To do the hon. Member justice I think it is right to say that when he raised this matter previously, he was referred to this Clause in the Burma section of the Bill. I think he has a substantial point which is of interest to the community in question. I believe that on the earlier Clause his point was covered by a reference to Sub-section (3) of Clause 280. In this case we shall investigate whether his point is covered by a corresponding Sub-section of a corresponding Clause, namely, 436. In any case I think the subject will need a certain amount of investigation. On my assurance that I will look into it and bring it to the attention of my right hon. Friend I hope he will not press the matter further at this stage.

Mr. KIRKPATRICK: I wish to thank the hon. Gentleman for his undertaking.

Question, "That the Clause, as amended, stand part of the Bill," put, and agreed to.

Clauses 436 to 438 ordered to stand part of the Bill.

CLAUSE 439.—(*Elections may be held in advance of the dates fixed for the commencement of this Part of this Act.*)

Motion made, and Question, "That the Clause stand part of the Bill," put, and negatived.

Clauses 440 and 441 ordered to stand part of the Bill.

CLAUSE 442.—(*Temporary financial provisions.*)

Motion made, and Question proposed, "That the Clause stand part of the Bill."

Mr. ISAAC FOOT: I am bound to say that in the hurry I have not grasped the full meaning of this Clause and I would like an explanation of it.

Mr. BUTLER: We were proposing to negative this Clause and deal with the matter when we come to the New Clauses.

Question, "That the Clause stand part of the Bill," put, and negatived.

Clause 443 ordered to stand part of the Bill.

CLAUSE 444.—(*No proceedings to be against Governor or Secretary of State.*)

Amendment made: In page 250, line 17, leave out "foregoing provisions of this chapter," and insert "provisions of Chapter X of this Part of this Act."—[*Sir S. Hoare.*]

Clause, as amended, ordered to stand part of the Bill.

CLAUSE 445.—(*Procedure as respects proposals for amendment of certain provisions of Act and Orders in Council.*)

Amendment made: In page 251, line 19, after "shall," insert:

"unless it appears to him that the proposed amendment is of a minor or drafting nature."

Clause, as amended, ordered to stand part of the Bill.

Clauses 446 and 447 ordered to stand part of the Bill.

It being Eleven o'Clock, The CHAIRMAN left the Chair to make his Report to the House.

Committee report Progress; to sit again To-morrow.

The remaining Orders were read, and postponed.

POST OFFICE CONTRACTS (FAIR WAGES CLAUSE).

Motion made, and Question proposed, "That this House do now adjourn."—
[*Captain Margesson.*]

11.3 p.m.

Mr. MANDER: I desire to raise a question about which I have given notice concerning the interpretation placed by the Post Office on the Fair Wages Resolution of this House and the recognition which is to be given to decisions jointly agreed to by the National Joint Industrial Council in any particular industry. The facts about this case are that contracts have recently been given to a firm in Burslem which is paying a rate of wages of 1s. an hour, whereas the rate fixed as a result of joint negotiations by the National Joint Industrial Council of the cooperage industry of this country is 1s. 5d. an hour. As a result of this, certain firms all over the country, and in particular in Wolverhampton, have been losing contracts which they previously had with the Post Office because they are undercut by the lower rate of wages paid by these employers, who are not paying the standard rate, although they are recognised by the Post Office.

The Post Office say that the rate in Burslem is only 1s., that the employers there do not recognise the National Joint Industrial Council, and that a good employer is entitled to pay only 1s. in that part of the country. What are the facts? The National Joint Industrial Council in this industry claims to represent upwards of 90 per cent. of the whole industry, with the exception of the Scottish cooperage industry, where there is a separate organisation altogether; and to show how widespread is the representation on this council from different parts of the country, I will point out that there are representatives sitting on it from the following towns, namely, Edinburgh, London, Glasgow, Liverpool, Man-

chester, Leeds, Burton-on-Trent, Bristol, Hull, Aberdeen, Stockport, and Birmingham. In addition, there are seven district councils operating and functioning normally. Furthermore, when these councils hold their meetings in London they are provided by the Ministry of Labour with a room at Montagu House, a representative of the Ministry of Labour is present at the meetings, and the minutes are typed by the Ministry.

I should have thought that as a model employer, as all Government Departments ought to be, it was up to the Post Office to insist on the payment of the nationally agreed-upon rate of 1s. 5d., and not to encourage bad employers who will not stand loyally alongside their colleagues and agree to pay the terms which are nationally settled. The position is even stronger than I have indicated because, although the Post Office are attempting to ride off by saying that in Burslem and North Staffordshire the rate is only 1s., I am prepared to supply the names of five firms in the potteries employing coopers who pay 1s. 5d. Furthermore, all the brewers in the potteries pay the 1s. 5d. rate. In spite of all that, in spite of the national agreement, and in spite of what I have said in regard to the rates paid locally, the Post Office say that, according to their interpretation, a good employer in Burslem is one who pays 5d. less than the national rate, and 5d. less than what his own colleagues are paying in the same part of the country. The attitude of the Post Office is deplorable. They are encouraging the bad employers and are subsidising sweating to some extent. Their attitude is really, from an industrial point of view, a disgraceful one. They ought to desire to uphold the standard of wages and not degrade them.

Lieut.-Colonel SANDEMAN ALLEN: On a point of Order. May I ask if there is a quorum present?

Mr. MANDER: The Assistant-Postmaster-General said they were merely doing what other Governments had done. Is it the ambition of the present Government to set up the standard of the late Labour Government? I should have thought that they had higher ambitions than that. I would ask my hon. Friend, in view of the fact—possibly the new fact—which I have brought to his attention, to say that he will be good enough

[Mr. Mander.]
to reconsider the question and to look into the case I have mentioned with a view to abandoning the position which, in the light of what I have said, is not defensible and not in accordance with the views of the House of Commons when they passed the Fair Wages Resolution.

Mr. TINKER: May I ask what the hon. Member means by his reference to living up to the Labour Government?

Mr. MANDER: When the Assistant-Postmaster-General answered the question yesterday he said that all previous Governments, including the Labour Government, were doing what he said. That was my point.

11.9 p.m.

The ASSISTANT POSTMASTER-GENERAL (Captain Sir Ernest Bennett): We can all sympathise with the motive which underlies the speech of the hon. Member for East Wolverhampton (Mr. Mander), for in all sections of the House there is a real desire that the wages and conditions of our working men and women shall be fair and adequate. In fact, the Fair Wages Resolution has, from the moment of its inception in 1929, been generally accepted as an indication of this desire. There was an earlier Fair Wages Resolution in 1891. The Post Office in dealing with this question of Burslem was in every way acting in accordance with the terms of the Resolution passed by the House of Commons. There was an earlier Resolution as far back as 1891, at a time when trade unionism was still a comparatively puny growth in this country. Later on, in 1909, when the existing Resolution was passed, trade unionism had become a very considerable factor in our body politic and the resolution in question, which was moved in that year by Mr. Sidney Buxton, the then Postmaster-General, was accepted by the representatives of trade unionism, including my old friend, Mr. John Hodge. Since that date, the fair wages clause has worked very smoothly in the Post Office and very few complaints have been received from those concerned in its working. That is a very significant fact in view of the complex and extensive contract work carried out by my Department. The hon. Member for East Wolverhampton, I gather, now proposes to replace the existing fair wages clause by the proviso that rates of

wages fixed by national agreement shall prevail universally in the same industry even in localities where no such agreed wages have been hitherto recognised.

Mr. MANDER: That is so, and I would point out here that the local rate is 1s. 5d. an hour.

Sir E. BENNETT: There is no agreed rate in this locality in the ordinary sense of the word.

Mr. MANDER: It is paid by good employers in Burslem.

Sir E. BENNETT: That is not the case so far as our information goes.

Mr. MANDER: I have the names here.

Sir E. BENNETT: In any case, it would not necessarily compel us to accept a particular contract at that rate. The hon. Member is now suggesting rescinding the fair wages clause.

Mr. MANDER: No.

Sir E. BENNETT: It must be rescinded if we are to have something different. This would, of course, mean the introduction of an entirely new principle, and would create a number of difficulties which the hon. Member has, perhaps, overlooked. The suggested new principle is based upon the existence of an agreement somewhere, and takes no account of the actual facts of the case in any particular place. There is a danger of agreements being produced that have no real authority behind them, and are the work of a body unrepresentative of one or both side of the industry.

Mr. MANDER: Does the hon. and gallant Gentleman suggest that that applies in this case?

Sir E. BENNETT: Yes, I do. An indeterminate liability would also be imposed on non-federated contractors or potential contractors who would not be associated with the making or amendment of agreements. It is indeed very difficult to justify the proposed change. Machinery already exists for the determination of fair wages and conditions in industry through the machinery of the Joint Industrial Council, and I should, personally, deprecate the imposition on the Post Office of the responsibility for enforcing wage rates in localities to which they may not

be appropriate; and I cannot think that the trade unions who are ably represented in this House would welcome the interference by any Government Department in work which they claim as peculiarly their own.

Mr. T. SMITH: In regard to this particular case, has the hon. and gallant Gentleman made inquiries with regard to the locality where 1s. an hour is paid and where 1s. 5d. is paid?

Sir E. BENNETT: Certainly, inquiries have been made. One inquiry produced the fact that the shilling rate does not exist, that it is more than a shilling. There are, no doubt, many industries in which no rates exist which have been fixed by national agreements, but if those concerned in the fixing of wages are unable or unwilling or too indifferent to secure such national agreements one can hardly expect the Post Office to decree the payment of joint industrial council rates of wages in localities where these do not exist. I would like to disabuse the hon. Member's mind of any idea that Post Office contracts are settled primarily on the ground of the rates of wages paid.

Mr. LOGAN: On a point of Order. Is it in order for the hon. Member to read his speech, and the Minister being present, should not the Minister give the answer?

Mr. SPEAKER: I do not see where the point of Order arises.

Sir E. BENNETT: Although we do not publish the details of tenders, I can assure the hon. Member that many other factors besides wages enter into the subject-matter of such contracts. I will give him one example which may be of interest to him. Some time ago a Birmingham cooperage contract was allotted to a London firm, which was actually paying 1s. 6d. an hour, a penny an hour more than the Wolverhampton rate. As far as I am advised at present, I can see no reason for any change in the fair wages resolution, which has been accepted by every Government since 1909 and has on the whole worked well and smoothly.

11.17 p.m.

Mr. RHYS DAVIES: We must thank the hon. Member for East Wolverhampton (Mr. Mander) for raising this very important point, and I hope the

hon. Gentleman will not be offended if I say that this was the most feeble official reply I have ever heard put from that Box. When he appealed to the trade unions—because that is what he did—did he think that the trade unions would not have objected? I suppose that if these people were in a trade union they would get 1s. 5d. anyhow, and the objection, so far as I can see, is that the Post Office, by giving this contract to this firm, are not only blacklegging the best employers but are blacklegging the trade union movement as well by supporting a firm in which trade unionism does not exist. I do not think this matter can be left where it is. We shall have to get the problem dealt with when we come to the Vote of the Postmaster-General. I saw him sitting in the House just now. As a rule, we regard him as a very courageous man, but he ran away as soon as he saw his hon. Friend in a little bit of difficulty, and he will have to fight another day, in spite of the fact that he ran away just now. What is most amazing of all is that we have an hon. Gentleman representing the Post Office decrying the work of the Joint Industrial Council, because that is what it means.

Sir E. BENNETT: No.

Mr. DAVIES: If the Post Office does not take note of the decision of a Joint Industrial Council, I tell the hon. Gentleman that we shall have the spectacle of one Government Department giving offence to another Government Department. It is an amazing anomaly that it is only last week that we had the Ministry of Labour issuing an Order under an Act of Parliament, covering the whole of the cotton textile industry of Lancashire, which compelled both the good and the bad employers to pay certain wages even though the employers and the workpeople might be outside their several organisations. That is a classic example of what one Government Department does and what another Government Department does not do.

Let me come to the last point. This Government, whenever they are in a difficulty, whenever they do a dirty trick, say "The Labour Government did it too." That is an amazing state of affairs. The Government came into power in 1931; it is now 1935. Because a Government in 1929 or in 1920 did a certain thing it does not follow that when a Gov-

[Mr. Davies.]

ernment in 1935 do the same thing they are doing the right thing. I remember doing certain things in my boyhood days which I thought were right then, but I think them silly now. If everybody were as honest as I am, they would probably say the same thing. Once again, I say that we cannot accept the answer of the Post Office on this issue. I hope I am not offending the hon. Gentleman when I say that it was pretty obvious that that was the answer of the Post Office. We say, therefore, although he declared in order to get out of his difficulty that wages are not the only consideration when they give a contract, that so far as we understand the problem of work we have always understood that wages were the first consideration. You may give a man a 40-hour week and set him to work in a palace, but if you only pay him twopence a day he will not be satisfied with the other conditions. Consequently, whatever other considerations enter into a contract, the first qualification to the workman is the wages that are to be paid for the job.

I hope that the Joint Industrial Council, who are involved here, will take note of the reply of the Post Office. I belong to a trade union, and I imagine that we have representatives on a large number of joint industrial councils. If the Post Office give a contract to a firm outside the industry paying less wages than are recognised by the Joint Industrial Council, the Minister of Labour would get to know about it, and I am certain that the Post Office would also get to know about it, not only through the hon. Member for East Wolverhampton (Mr. Mander) or myself, but from the Joint Industrial Council. I trust that what we are saying here will reach the ears not only of the Joint Industrial Council but of the trade unions and of the Trade Union Congress. I can assure the hon. Gentleman that this business cannot remain exactly where it has been left to-night.

11 23 p.m.

Mr. PALING: I want to ask the Assistant Postmaster-General whether this matter is to stop where it is. He argued that these wages were according to the fair wages clause. In his statement, if he did not actually say so, he indicated that there was a fair wages

clause which had probably been agreed upon by the trade unions of the district. I do not know whether that is so or not.

Mr. MANDER: No.

Mr. PALING: The wages exist throughout the length and breadth of the country, and it is unlikely that any trade union should agree, even in the remotest part of the country, to 1s. when 1s. 5d. is paid elsewhere, as the hon. Member for East Wolverhampton (Mr. Mander) says. If that be so, I cannot imagine that the fair wages clause is in operation where the 1s. per hour is being paid. I hope that the Postmaster-General will make an inquiry into this business in order to see where the enormous difference of these wages comes in. The Postmaster-General takes credit for having run his Department more efficiently than most people and for having lifted wages, and I cannot imagine that he would agree to a thing like this if he knew it was going on. I hope that the hon. Gentleman himself will make inquiries without further pressure. I will join with everyone else in making as big a row as possible in order to see that justice is done in this connection.

Whenever anything done now is questioned, the excuse is always made that it was done by the Labour Government; but I am sure that if a case like this had been brought to the notice of the Labour Government, that Government's own supporters would have seen to it that it was dealt with. I ask the hon. Gentleman not to wait for the Post Office Vote, but, in face of the vast difference between 1s. 5d. and 1s., to make inquiry and, if there is any suspicion that the wage paid is not the right one, to stop the contract and give it to someone else.

11.27 p.m.

Sir E. BENNETT: It is a little hypocritical for the Labour party to attack the Government when they themselves carried out this principle and practice of the Fair Wages Resolution.

Mr. PALING: Not the 1s.

Sir E. BENNETT: Since I have been at the Post Office, and for a long time past, we have had no complaints whatever from the men who were concerned with the working of the Fair Wages Clause, from the Joint Industrial Council,

or from anyone else. The situation will continue as long as the Resolution stands and we are obliged to carry it out

Mr. T. SMITH: Does the hon. Member suggest that the matter was discussed in this House during the lifetime of the Labour Government?

Sir E. BENNETT: It was certainly brought before the notice of the Labour Government.

11.28 p.m.

Mr. CURRY: I was very much concerned when I heard the hon. Gentleman suggesting that my hon. Friend the Member for East Wolverhampton (Mr. Mander) was making a request that the Fair Wages Clause should in some degree or other be repealed or altered. There was nothing of that kind contained in the speech of my hon. Friend.

The point he brought before the House was, How was a Government Department to know what a fair wage was? I would respectfully submit that the only safe

guide is to take the highest wage which has been agreed by the appropriate authorities. How else can you find out what is a fair wage to be paid? I am even more surprised at the attitude which the hon. Gentleman has taken up. We are really concerned, when we hear of a case like this, where employers who are tendering for Government contracts on what they know to be labour costs as between the negotiating parties in the industry find that those contracts are going past them because somebody is under-cutting. We are on the edge of a very retrograde process in this country which is very likely to lead to an enormous amount of unrest, suspicion and discontent. I hope that the hon. Gentleman will take note of what has been said here to-night, and will ensure that his Department will look again at this contract and at the circumstances surrounding it.

It being Half-past Eleven of the Clock, Mr. SPEAKER adjourned the House, without Question put, pursuant to the Standing Order.